



www.azsos.gov

Arizona Administrative REGISTER

Published by the Department of State ~ Office of the Secretary of State

Volume 28, Issue 34

~ Administrative Register Contents ~

August 26, 2022

Information	2084
Rulemaking Guide	2085

RULES AND RULEMAKING

Proposed Rulemaking, Notices of

9 A.A.C. 13 Department of Health Services - Health Programs Services	2087
--	------

Supplemental Proposed Rulemaking, Notices of

9 A.A.C. 22 Arizona Health Care Cost Containment System (AHCCCS) - Administration	2114
---	------

Final Expedited Rulemaking, Notices of

2 A.A.C. 7 Department of Administration - State Procurement Office	2117
--	------

OTHER AGENCY NOTICES

Docket Opening, Notices of Rulemaking

9 A.A.C. 7 Department of Health Services - Radiation Control	2125
--	------

9 A.A.C. 16 Department of Health Services - Occupational Licensing	2126
--	------

Substantive Policy Statement, Notices of Agency

Board of Nursing	2127
------------------------	------

Department of Agriculture - Animal Services Division	2128
--	------

Department of Health Services - Child Care Facilities	2129
---	------

GOVERNOR'S OFFICE

Governor's Executive Order 2022-01

Moratorium on Rulemaking to Promote Job Creation and Economic Development; Internal Review of Administrative Rules	2130
--	------

INDEXES

Register Index Ledger	2132
-----------------------------	------

Rulemaking Activity, Cumulative Index for 2022	2133
--	------

Other Notices and Public Records, Cumulative Index for 2022	2142
---	------

CALENDAR/DEADLINES

Rules Effective Dates Calendar	2144
--------------------------------------	------

Register Publishing Deadlines	2146
-------------------------------------	------

GOVERNOR'S REGULATORY REVIEW COUNCIL

Governor's Regulatory Review Council Deadlines	2147
--	------

DIRECTOR
Administrative Rules Division
Scott Cancelosi

PUBLISHER
Secretary of State
KATIE HOBBS

RULES MANAGING EDITOR
Arizona Administrative Register
Rhonda Paschal

From the Publisher

ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Arizona Secretary of State's website is the official published version for rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains notices of rules terminated by the agency and rules that have expired.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rulemaking activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA, and other state statutes.

New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C.) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The authenticated pdf of *Code* Chapters posted on the Arizona Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this Chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking. Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a page.

Arizona Administrative REGISTER

August 26, 2022
Volume 28, Issue 34

PUBLISHER
SECRETARY OF STATE
Katie Hobbs

ADMINISTRATIVE RULES STAFF
DIRECTOR
Scott Cancelosi

RULES MANAGING EDITOR
Rhonda Paschal

ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

ADMINISTRATIVE CODE
A price list for the *Arizona Administrative Code* is available online at www.azsos.gov.

PUBLICATION DEADLINES
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

CONTACT US
Administrative Rules Division
Office of the Secretary of State
1700 W. Washington Street, Fl. 2
Phoenix, AZ 85007
(602) 364-3223

The Office of the Secretary of State is an equal opportunity employer.

Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

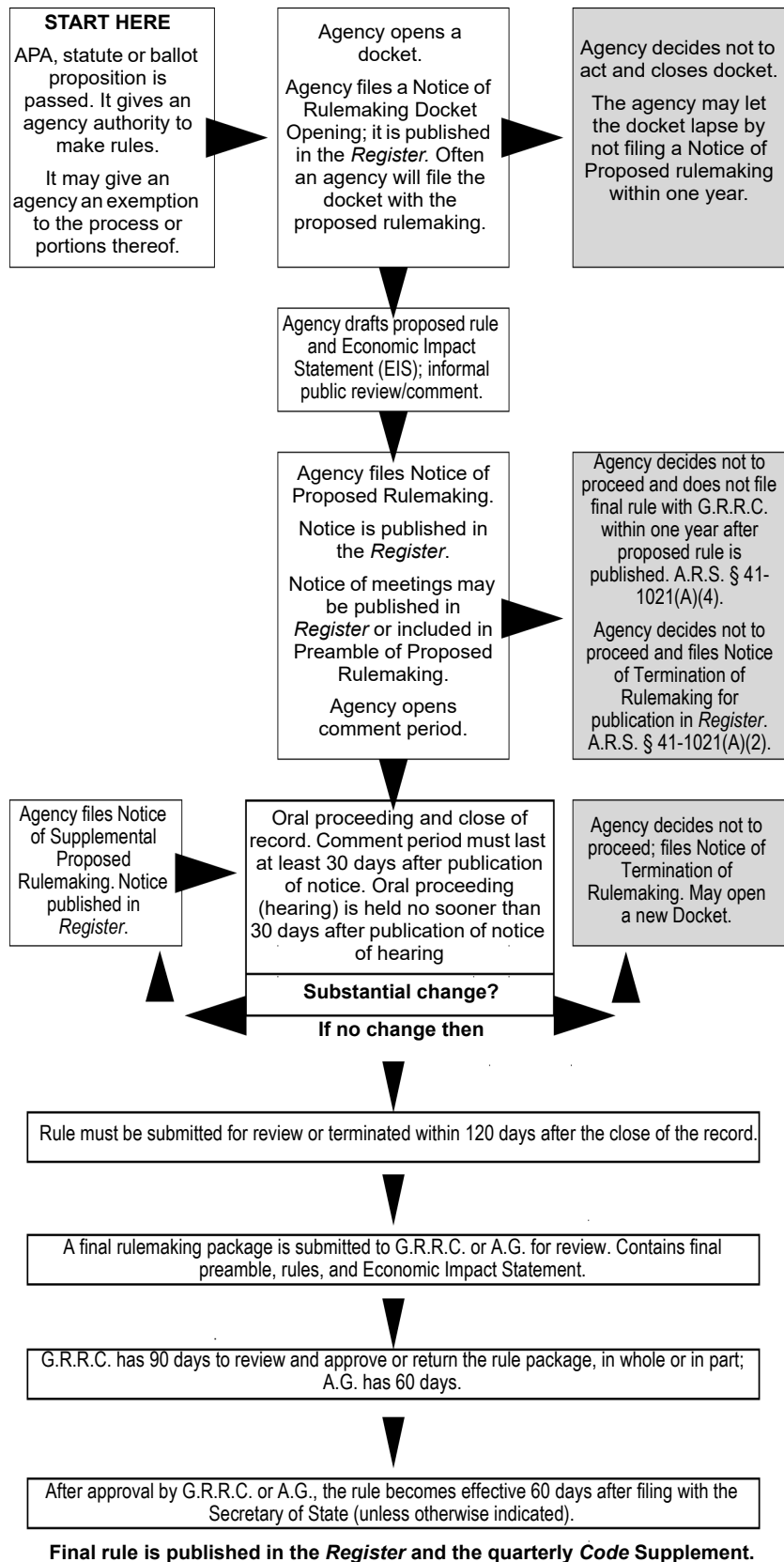
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State’s Office. Available online at www.azsos.gov.

Arizona Administrative Register (A.A.R.): The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azleg.gov.

Arizona Revised Statutes (A.R.S.): The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The “§” symbol simply means “section.” Available online at www.azleg.gov.

Chapter: A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

Close of Record: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Docket: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

Economic, Small Business, and Consumer Impact Statement (EIS): The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

Governor’s Regulatory Review (G.R.R.C.): Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

Incorporated by Reference: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

Federal Register (FR): The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

Session Laws or “Laws”: When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word “Laws” is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation “Ch.,” and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

United States Code (U.S.C.): The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor’s Regulatory Review Council*

U.S.C. – *United States Code*

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.

NOTICES OF PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemaking.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 13. DEPARTMENT OF HEALTH SERVICES HEALTH PROGRAMS SERVICES

[R22-182]

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|--|--------------------------|
| R9-13-101 | Amend |
| R9-13-102 | Amend |
| Table 13.1 | Amend |
| Table 13.2 | New Table |
| R9-13-103 | Amend |
| Table 13.3 | New Table |
| R9-13-104 | Amend |
| R9-13-105 | Amend |
| R9-13-106 | Amend |
| R9-13-107 | Amend |
| R9-13-108 | Amend |
| R9-13-109 | Amend |
| R9-13-110 | Amend |
| R9-13-111 | Amend |
| R9-13-112 | Repeal |
| R9-13-112 | New Section |
| R9-13-113 | Repeal |
| R9-13-113 | New Section |
| R9-13-114 | Repeal |
| R9-13-114 | New Section |
| R9-13-115 | Repeal |
| R9-13-115 | New Section |
| R9-13-116 | New Section |
| R9-13-117 | New Section |
| R9-13-118 | New Section |
| R9-13-119 | New Section |
- 2. Citations to the agency's statutory rulemaking authority to include authorizing statutes (general) and the implementing statutes (specific):**
 Authorizing statute: A.R.S. §§ 36-104(3) and 36-136(G)
 Implementing statute: A.R.S. § 899.10
- 3. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the record of the proposed rule:**
 Notice of Rulemaking Docket Opening: 28 A.A.R. 1006, May 13, 2022

4. The agency's contact person who can answer questions about the rulemaking:

Name: Laura Luna Bellucci, Bureau Chief
 Address: Arizona Department of Health Services
 Bureau of Women's and Children's Health
 150 N. 18th Ave., Suite 320
 Phoenix, AZ 85007-3232
 Telephone: (602) 653-0472
 Email: Laura.Bellucci@azdhs.gov
 or
 Name: Stephanie Elgenza, Interim Office Chief
 Address: Arizona Department of Health Services
 Office of Administrative Counsel and Rules
 150 N. 18th Ave., Suite 200
 Phoenix, AZ 85007-3232
 Telephone: (602) 542-8819
 Fax: (602) 364-1150
 Email: Stephanie.Elgenza@azdhs.gov

5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

Laws 2019, Ch. 316, effective August 27, 2019, requires the Arizona Department of Health Services (Department) to adopt rules for vision screening services. Additionally, Laws 2022, Ch. 231 requires the Department to consult with nonprofit organizations that provide free vision screenings, trainings, grants for vision screenings, as well as, ophthalmologists, optometrists, school nurses, pediatricians, and school administrators to create the vision screening rules. Pursuant to the rulemaking moratorium established by Executive Order 2021-02, the Department received an exception approval on April 13, 2021 from the moratorium to add standards and requirement for schools to provide vision screening services to enrolled students. The new rules will include: requirements for school administrators to provide vision screening services; establish standards for vision screening training to school nurses, volunteers, and other individuals who wish to complete vision screening trainings; vision screening methodology; and provide collection of school vision screening data for review and analysis by researchers, public agencies, and other organizations. The Department plans to amend 9 A.A.C. 13, Article 1 Hearing Screening rules to include the vision screening standards and requirements established by Laws 2019, Ch. 316. The Department expects to amend some hearing screening terms and definitions to apply to both the hearing screening and vision screening. Additional Sections in the hearing screening rules are expected to be amended to ensure consistent criteria is applicable to vision screening. The Department will promulgate rules in 9 A.A.C. 13, Article 1 through a regular rulemaking according to A.R.S. Title 41, Chapter 6.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review or rely on any study for this rulemaking.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The Department, in 2019, completed a regular rulemaking for 9 A.A.C. 13, Article 1 Hearing Screening and an economic, small business, and consumer impact statement (EIS) that identified affected persons, costs, and benefits associated with the hearing screening rulemaking. Since the vision screening program is similar to the hearing screening program, the Department in this 2022 hearing-vision screening EIS is consistent and designates costs and benefits as 'minimal' when more than \$0 and less than \$1,000, 'moderate' when between \$1,000 and \$10,000, and 'substantial' when \$10,000 or greater. A cost or benefit is indicated as significant when meaningful or important but not readily subject to quantification. No new full-time employees are required due to this rulemaking. In this regular rulemaking, the Department amends 12 hearing screening Sections and one Table to include necessary changes to hearing screening requirements and create vision screening requirements consistent with hearing screening. Four Sections will be repealed through this regular rulemaking and be replaced with four new Sections applicable to vision screening, two Tables will also be added to include vision screening population and screening requirements. Additionally, four new Sections will be added to this Article to clarify the requirements applicable to only hearing screening and to add vision screening criteria and requirements.

New rules include Vision Screener Qualifications, Vision Trainer Eligibility, Vision Trainer Certificate of Completion Request, and Vision Trainer Instruction, Examination, and Observation in Sections R9-13-112 through R9-13-115. The previous rules in Sections R9-13-112 through R9-13-115 were repealed and renumbered in new Sections R9-13-116 through R9-13-119 for existing hearing screening rules and to add consistent vision screening rules, which include: Trainer Certificate of Completion Renewal, Hearing Trainer Continuing Education, Trainer Requesting a Change, and Requirement for Screener or Trainer Certificate of Completion. No fees are included in this rulemaking.

The Department identifies affected persons to be the Department, school districts and charter schools (schools), individuals who wish to be a certified vision screener, individuals who wish to be a certified vision screening trainer, specialists such as optometrist, ophthalmologist, or a doctor of medicine licensed according to A.R.S. Title 32, Chapters 13 or 17, enrolled students and parents of enrolled students, and the public.

The Department anticipates to incur a moderate-to-significant cost for promulgating new rules, as well as cost related to allocation of administrative staff to review and process the applications for individuals who wish to obtain an initial or renewal vision screening or vision screening trainer certification of completion. Additionally, the Department works with stakeholders and receives monetary donations used to provide schools with vision screening kits, which includes the equipment required to perform a vision screening for most students. The Department anticipates receiving a significant benefit for having rules that create criteria and requirements for Arizona schools that provide vision screenings to students.

Additionally, the Department anticipates that the rules may create a minimal regulatory burden for some schools who do not already provide vision screenings; however, the Department believes that the benefits of the rules will far outweigh any potential burden or cost for having students who are identified with vision loss and who are receiving services that result in the student's success rather than potentially falling behind in learning. Schools are expected to receive a moderate benefit for having certified vision screeners and certified vision trainers who complete the vision screener training or vision trainer training approved by the Department. Many schools are not expected to incur additional costs. Although schools have not been required by rules or statutes to provide vision screenings, many schools have already implemented vision screening services to enrolled students. The Department expects that these schools already have budgets established to support existing vision screening programs, and accordingly, the Department does not expect these schools to incur any additional cost. For other schools who have not established a vision screening services, the Department expects these schools may incur a minimal-to-moderate cost since these schools currently offer hearing screenings for enrolled students, adding vision screening services is mostly consistent and similar to hearing screening requirements. For an existing hearing screening program with an existing budget, it appears reasonable that the cost to expand the hearing screening program to include vision screening is as expected – minimal-to-moderate.

New vision screener requirements specify the qualifications and requirements for individuals who may become a vision screener; establish rules for obtaining a vision screener and trainer certificate of completion; and add requirements for vision screeners to demonstrate competency using vision equipment. Additionally, the new rules establish conditions a vision screener is required to observe and verify prior to performing a vision screening. The Department believes individuals who wish to become a vision screener and individuals who are already a certified vision screener, will incur minimal additional costs due to the new rules. Many schools have already been providing vision screening services on a volunteer basis. If the school does not already have a certified vision screener onsite, staff members may be interested in becoming a certified vision screener, and if so, the individual may incur a minimal cost to receive training if the school administrator does not cover training costs. Although the rules do not include an application or renewal certification fees, individuals who wish to be a certified vision screener may incur training costs associated with R9-13-112. New rules for vision screening establish qualifications and standards for individuals who wish to obtain a vision screener certificate of completion, as well as renewal requirements for certified vision screeners. Every four years, certified vision screeners are required to complete a renewal certificate of completion. The Department expects vision screeners may significantly benefit from having rules established and include vision screening requirements to the existing Sensory Screening Program to ensure the quality of vision screening services are provided to students and are mostly consistent with hearing screening requirements.

Rules were added and amended to create criteria and requirements for individuals who wish to become vision screening trainers or renew a vision trainer certificate of completion. New requirements for vision screening trainers identify eligibility, responsibilities, and clarify instruction requirements. The rules also identify how a vision trainer can request a change to their personal information and requirements for a certificate of completion issued before the effective date of this Article. Although the rules do not include an application or renewal certification fees, individuals who wish to be a certified vision trainer may incur training costs associated with Sections R9-13-113, R9-13-114, and R9-13-115. New rules for vision screening add criteria for qualifications, standards, and renewal requirements for individuals who wish to obtain a vision trainer certificate. Every four years, certified vision trainers are required to complete a renewal certificate of completion. The Department has finalized a Request for Proposal (RFP) application to procure a statewide training vendor to coordinate and implement free training for trainers and screeners. A contract with a third-party would include providing instruction, examination, and observation related to obtaining vision screening certifications and recertifications. The Department expects the new requirements for vision screening trainers to submit an initial certificate and renewal application for obtaining a trainer certificate of completion may cause individuals to incur a minimal cost for time spent completing the application and training. However, training requirements and criteria should result in thorough trainings for vision screeners, resulting in higher quality vision screening services provided to students. Therefore, the Department anticipates for vision trainers to significantly benefit from the new rules establishing training requirements.

Due to the requirement in R9-13-105, which specifies school administrators shall provide a parent with a referral for an enrolled student who requires a follow-up with a specialist to verify the hearing or vision screening result, the Department expects some specialists (a licensed optometrist and ophthalmologist, or a doctor of medicine licensed according to A.R.S. Title 32, Chapters 13 or 17) may receive a moderate benefit from parent's who received a notification from a school administrator requesting the parent's student be examined to verify the school vision screening result. The Department does not expect the new vision screening rules to increase costs or a regulatory burden for specialists. The new rules may provide an increase in business and revenue to eye specialists.

Enrolled students and parents of enrolled students are expected to receive a significant benefit for having certified vision screeners and trainers. Many enrolled students have received a vision screening if their school already offers vision screening services. The vision screening enrolled student population has been added to the amended Section R9-13-102 and new Table 13.2. The Department expects having the new requirements will increase benefits for enrolled students and parents of enrolled students by having certified vision screeners and trainers that stay current with eye care procedures, equipment, and treatment provided by the new vision screening rules. Identifying students with early vision loss may help prevent that student from falling behind in school.

The public in general is expected to significantly benefit from having schools provide vision screening services. Reliable

school vision screenings enable more students to develop their academic, social, and communication skills by promoting early intervention for eye conditions and vision loss. Identifying students who may have vision loss is a first step in helping them develop to become productive adults. The Department has determined that the benefits related to vision screenings for students identified in the new rules outweigh any potential costs associated with this rulemaking.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Laura Luna Bellucci, Bureau Chief
Address: Arizona Department of Health Services
Bureau of Women's and Children's Health
150 N. 18th Ave., Suite 320
Phoenix, AZ 85007-3232
Telephone: (602) 653-0472
Email: Laura.Bellucci@azdhs.gov
or
Name: Stephanie Elgenza, Interim Office Chief
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007-3232
Telephone: (602) 542-8819
Fax: (602) 364-1150
Email: Stephanie.Elgenza@azdhs.gov

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department has scheduled the following oral proceeding:

Date and time: Tuesday, October 4, 2022 at 1:00 p.m.
Location: +1 515-518-4029 PIN: 121 705 195#
Close of record: 4:00 p.m., September 27, 2022

A person may submit written comments on the proposed rules no later than the close of record to either of the individuals listed in items #4 and #9.

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

There are no other matters prescribed by statute applicable specifically to the Department or this specific rulemaking.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

A.R.S. § 36-899.10 requires the Department to issue a vision screening certification to persons who meet the qualifications prescribed in statute and in rules adopted by the Department. Additionally, A.R.S. § 36-899.10 provides the Department authority to adopt rules pursuant to A.R.S. "title 41, chapter 6 to carry out this section." The Department in rule provides for a person who does not pass the written examination or pass the training observation may file an appeal according to A.R.S. Title 41, Chapter 6. For these reasons, the Department does not use a general permit. The Department believes that under A.R.S. § 41-1037(A)(2) and (3) that a general permit is not applicable.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

There are no federal rules applicable to the subject of the rule.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No business competitiveness analysis was submitted to the Department.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Although not changed in this rulemaking, the following incorporation by reference is included in the rulemaking:

R9-13-106(B)(1)(b): ANSI/ASA S3.6-2010 American National Standards Institution/Acoustical Society of America, Specification for Audiometers, available from the American National Standards Institution at <https://webstore.ansi.org>.

R9-13-106(B)(2)(b): ANSI/ASA S3.39-1987 (R2012) American National Standards Institution/Acoustical Society of America, American National Standard Specifications for Instruments to Measure Aural Acoustic Impedance and Admittance (Aural Acoustic Immittance), available from the American National Standards Institution at <https://webstore.ansi.org>.

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

**CHAPTER 13. DEPARTMENT OF HEALTH SERVICES
HEALTH PROGRAMS SERVICES**

ARTICLE 1. HEARING AND VISION SCREENING

Section

R9-13-101.	Definitions
R9-13-102.	Hearing Student Screening Population Populations
Table 13.1	Hearing Screening Population
Table 13.2	Vision Screening Population
R9-13-103.	Hearing Screening Requirements
Table 13.3	Vision Screening Requirements
R9-13-104.	Criteria for Passing a Hearing and Vision Screening
R9-13-105.	Notification; Follow-up
R9-13-106.	Equipment Standards
R9-13-107.	Records and Reporting Requirements
R9-13-108.	Hearing Screener Qualifications
R9-13-109.	Hearing Trainer Eligibility
R9-13-110.	Hearing Trainer Certificate of Completion Request
R9-13-111.	Hearing Trainer Instruction, Examination, and Observation
R9-13-112.	Trainer Certificate of Completion Renewal Repealed
R9-13-112.	Vision Screener Qualifications
R9-13-113.	Trainer Continuing Education Repealed
R9-13-113.	Vision Trainer Eligibility
R9-13-114.	Requesting a Change Repealed
R9-13-114.	Vision Trainer Certificate of Completion Request
R9-13-115.	Requirement for Screener or Trainer Certificate of Completion Issued Before Article Effective Date Repealed
R9-13-115.	Vision Trainer Instruction, Examination, and Observation
R9-13-116.	Trainer Certificate of Completion Renewal
R9-13-117.	Hearing Trainer Continuing Education
R9-13-118.	Trainer Requesting a Change
R9-13-119.	Requirement for Screener or Trainer Certificate of Completion

ARTICLE 1. HEARING AND VISION SCREENING**R9-13-101. Definitions**

~~In this Article, unless the context otherwise requires:~~ In addition to the definitions in A.R.S. §§ 36-899 and 36-899.10, the following definitions apply in this Article unless otherwise specified:

1. "Accredited" means that an educational institution is recognized by the U.S. Department of Education as providing standards necessary to meet acceptable levels of quality for its graduates to gain admission to other reputable institutions of higher learning or to achieve credentials for professional practice.
2. "Administrator" means the principal or person having general daily control and oversight of a school or that person's designee.
3. "Assistive listening device" has the same meaning as "assistive listening device or system" in A.R.S. § 36-1901.
4. "Audiological equipment" means an instrument used to help determine the presence, type, or degree of hearing loss, such as:
 - a. A pure tone audiometer,
 - b. A tympanometer, or
 - c. An otoacoustic emissions device.
5. "Audiological evaluation" means:
 - a. Examination of an individual's ears;
 - b. Assessment of the functioning of the individual's middle ear;
 - c. Testing of the individual's ability to perceive sounds using audiological equipment; and
 - d. Analysis by a specialist of the results obtained from the activities described in subsections (a) through (c) to determine if the individual has a hearing loss and, if so, the type and degree of the individual hearing loss.
6. "Audiologist" means an individual licensed under A.R.S. Title 36, Chapter 17.
7. "Audiometer" means an electronic device that administers sounds of varying pitches and intensities to assess an individual's ability to hear the sounds.
8. "Auditory canal" means the tubular passage between the cartilaginous portion of the ear that projects from an individual's head and the outer surface of the ~~ear drum eardrum~~.
9. "Auditory nerve" means the filament of neurological tissue that:
 - a. Connects the cochlea and the brain, and
 - b. Transmits impulses related to hearing.
10. "Autorefractor/Photoscreener" means an automated device to provide information about the eyes that could affect vision, including refractive errors and eye misalignment, and does not provide visual acuity information.
- ~~10-11.~~ "Calendar day" means each day, that:
 - a. Is not the day of the act, event, or default from which a designated period of time begins to run; and
 - b. Includes the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
- ~~11-12.~~ "Calibrate" means to measure the response of an instrument against a standard and adjust the instrument until the response falls within specified values according to the equipment's manufacturer specifications and by an authorized manufacturer's dealer, if recommended by the manufacturer.
- ~~12-13.~~ "Certificate of completion" means a document issued to an individual who has completed the requirements in:

- a. R9-13-108 to perform hearing screening for students according to this Article; ~~or~~
- b. R9-13-111 to provide training to individuals who perform hearing screening;
- c. R9-13-112 to perform vision screening for students according to this Article; and
- d. R9-13-115 to provide training to individuals who perform vision screening.
- 14. “Classroom” means a physical room or electronic space where training and educational courses occur.
- ~~13-15.~~ “Cochlea” means a coiled tube in the inner ear that converts sounds into neural messages.
- ~~14-16.~~ “Cochlear implant” means a device that is surgically inserted into the cochlea to electrically stimulate the auditory nerve.
- 17. “Color vision” means the perception of and ability to distinguish colors.
- ~~15-18.~~ “Continuing education” means a course that provides instruction and training that is designed to develop or improve a trainer or screener’s professional competence.
- ~~16-19.~~ “Continuing education unit” means 50 to 60 minutes of continuous course work.
- ~~17-20.~~ “Course” means a workshop, seminar, lecture, conference, or other learning program activities approved by the Department.
- ~~18-21.~~ “daPa” means dekaPascal, a standard measure of air pressure.
- ~~19-22.~~ “dB HL” means decibel hearing level, a measurement used to compare the intensity at which an individual hears sound at a particular frequency to a standard.
- ~~20-23.~~ “dB SPL” means sound pressure level measured in units of decibels.
- ~~21-24.~~ “Deaf” has the same meaning as in A.R.S. § 36-1941.
- 25. “Deafblind” has the same meaning as in A.R.S. § 36-1941.
- ~~22-26.~~ “Diagnosis” means a determination of whether a student is deafblind, deaf, or hard of hearing, legally blind, or has vision loss that is:
 - a. Made by a specialist; and
 - b. Based on an audiological evaluation and an eye examination of the student.
- ~~23-27.~~ “Documentation” means a method used to report information on paper, electronic, photographic, or other permanent form.
- ~~24-28.~~ “Eardrum” means the tympanic membrane in the ear that vibrates in response to sound.
- ~~25-29.~~ “Earphone” means the part of an audiometer that is worn over an individual’s ear.
- ~~26-30.~~ “Electroacoustic analysis” means the evaluation by an audiologist of the functioning of a hearing aid or an assistive listening device using specialized electronic equipment.
- ~~27-31.~~ “Eustachian tube” means a passage in an individual’s head that:
 - a. Connects the middle ear and the throat, and
 - b. Equalizes pressure on both sides of the eardrum.
- 32. “Eye examination” means the same as “comprehensive eye and vision examination” in A.R.S. § 36-899.10 by an optometrist or ophthalmologist.
- ~~28-33.~~ “Follow-up” means an action that serves to verify the effectiveness of a previous hearing or vision screening ~~that resulted in treatment result.~~
- ~~29-34.~~ “Frequency” means the number of cycles per second of a sound wave, expressed in Hz and corresponding to the pitch of sound.
- ~~30-35.~~ “Hard of hearing” has the same meaning as in A.R.S. § 36-1941.
- ~~31-36.~~ “Hearing aid” has the same meaning as in A.R.S. § 36-1901.
- ~~32-37.~~ “Hearing loss” means the difference, expressed in decibels, between the hearing threshold of an individual and a standard reference hearing threshold.
- ~~33-38.~~ “Hearing screening” means:
 - a. The same as “hearing screening evaluation” in A.R.S. § 36-899, and
 - b. Is performed by an individual who meets the requirements specified in R9-13-108 for the purpose of identifying students who may need further evaluation; or
 - c. An audiological evaluation provided by a specialist.
- ~~34.~~ “Hearing screening population” means the students who are expected to have a hearing screening during a school year.
- ~~35-39.~~ “Hearing threshold” means the faintest sound an individual hears at each frequency at which the individual is tested.
- ~~36-40.~~ “Hz” means Hertz, a unit of frequency equal to one cycle per second.
- ~~37.~~ “Immittance” means the mobility of the parts of the middle ear during the transmission of sound vibrations through the middle ear.
- ~~38-41.~~ “Immediate family member” means an individual related by birth, marriage, or adoption.
- 42. “Immittance” means the mobility of the parts of the middle ear during the transmission of sound vibrations through the middle ear.
- ~~39-43.~~ “Inner ear” means the part of the ear, including the semicircular canals, cochlea, and auditory nerve, that converts sound into neural messages that are sent through the auditory nerve to the brain.
- ~~40-44.~~ “Intensity” means the strength of a sound wave, resulting in the perception of sound volume as expressed in decibels or decibels hearing level dB HL.
- ~~41-45.~~ “KHz” means a unit of frequency equal to one thousand cycles per second or one thousand hertz.
- ~~42-46.~~ “Middle ear” means the part of the ear that conducts sound to the inner ear, consisting of:
 - a. The eardrum;
 - b. The three small bones called the malleus, incus, and stapes; and
 - c. The space containing the eardrum and the three small bones.
- ~~43-47.~~ “ml” means a volume measurement unit.
- ~~44-48.~~ “mmho” or “millimho” means a unit of electric conductance.
- ~~45-49.~~ “Notification” means a method used to inform or announce information on paper, electronic, photographic, or other permanent form.
- 50. “Ophthalmologist” means a medical doctor who may perform medical and surgical interventions for eye conditions.

51. "Optometrist" means a person who is a doctor of optometry who may examine the eyes to evaluate health and visual abilities, diagnose eye diseases and conditions of the eye and visual system and prescribe corrective lenses or provide other types of treatment.
52. "Optometry" means the professional practice of eye and vision care for the diagnosis, treatment, and prevention of diseases and conditions of the eye and visual system.
53. "Optotypes" means symbols, numbers, or letters of different sizes used in testing distance and near visual acuity.
- 46-54. "Other amplification device" means a hearing product used to amplify sounds, but may not address other components of hearing loss, such as distortion.
- 47-55. "Otitis media" means inflammation of the middle ear.
- 48-56. "Otoacoustic emissions device" or "OAE device" means an instrument used to determine the status of an individual's cochlear function by:
- Presenting sounds into the auditory canal with a sound generator, and
 - Detecting, with one or more microphones, low-intensity echoes in the auditory canal that are produced by normally functioning cochlea in response to sounds.
- 49-57. "Outer ear" means the part of the ear that projects from an individual's head and the auditory canal.
- 50-58. "Parent" means a:
- Natural or adoptive mother or father,
 - Legal guardian appointed by a court of competent jurisdiction, or
 - Custodian as defined in A.R.S. § 8-201.
- 51-59. "Pass" means a recordable response detected by a hearing screener using audiological equipment consistent with established criteria for hearing screening requirements.:
- A hearing screener using audiological equipment consistent with established criteria for hearing screening requirements; and
 - A vision screener using vision equipment consistent with established criteria for vision screening requirements.
- 52-60. "Person" has the meaning in A.R.S. § 41-1001.
- 53-61. "Preschool" means the instruction preceding kindergarten provided to individuals three to five-years-old through a school.
- 54-62. "Probe" means the part of a tympanometer or an OAE device that is inserted into an individual's auditory canal during a hearing screening.
63. "Pseudoisochromatic plate" means a chart having printed dots of various colors, brightness, and sizes arranged so that dots of similar color form a known figure among a background of dots of other color used to detect a color vision deficiency.
- 55-64. "Pure tone hearing screening" means a type of hearing screening using single frequency sounds that is performed using a pure tone audiometer or a device that includes the functions of both an audiometer and a tympanometer.
- 56-65. "School" means:
- A school as defined in A.R.S. § 15-101,
 - An accommodation school as defined in A.R.S. § 15-101,
 - A charter school as defined in A.R.S. § 15-101, or
 - A private school as defined in A.R.S. § 15-101.
- 57-66. "School day" means any day in which students attend an educational institution for instructional purposes.
- 58-67. "School year" means the period from July 1 through June 30.
- 59-68. "Screener" means an individual qualified to perform a hearing screening specified in R9-13-108.:
- A hearing screening specified in R9-13-108, and
 - A vision screening specified in R9-13-112.
69. "Screening population" means the students who are expected to have a hearing and vision screening during a school year.
- 60-70. "Semicircular canal" means the loop-shaped tubular parts of the inner ear that contain portions of the sensory organs of balance.
- 61-71. "Sound wave" means the repeating cycles of high pressure and low pressure that are made by a vibrating object.
- 62-72. "Special education" has the same meaning as in A.R.S. § 15-761.
- 63-73. "Specialist" means an audiologist or a doctor of medicine licensed according to A.R.S. Title 32, Chapters 13 or 17 who specializes in the ear, nose, and throat.:
- Audiologist or a doctor of medicine licensed according to A.R.S. Title 32, Chapters 13 or 17 who specializes in the ear, nose, and throat; or
 - Optometrist or ophthalmologist licensed according to A.R.S. Title 32, Chapter 16 who specializes in eye care.
- 64-74. "Student" means an individual enrolled in a school.
- 65-75. "Supervision" means a screener is in the room observing and providing direction while an individual provides hearing screening to students specified in R9-13-108(M).:
- A hearing screening to a student specified in R9-13-108(M), or
 - A vision screening to a student specified in R9-13-112(K).
- 66-76. "Trainer" means an individual who:
- Has a current certificate of completion, and
 - Provides classroom instruction and assessment of competency in using audiological equipment specified in R9-13-108, or
 - Provides classroom instruction and assessment of competency in using vision equipment specified in R9-13-112.
- 67-77. "Tympanogram" means a graphic display of the mobility of the middle ear in response to an acoustic stimulus as a function of air pressure in the auditory canal.
- 68-78. "Tympanometer" means a device used to determine the status of an individual's middle ear by:
- Presenting sound into the auditory canal with a sound generator;
 - Varying the air pressures in the auditory canal via an air pump to control the movement of the tympanic membrane; and

- c. Detecting, with a microphone, variations in sound pressure level as acoustic energy passes into the individual's middle ear.
- 79. "Vision equipment" means screening materials and instruments used to determine the presence, type, or degree of vision loss or impairment:
 - a. Optotypes,
 - b. Pseudoisochromatic plates, and
 - c. Autorefractors/Photoscreeners.
- 80. "Vision loss" means the absence of vision or a loss that can not be corrected with a corrective device, such as eye glasses or contact lenses.
- 81. "Vision screening" means:
 - a. The same as "vision screening" in A.R.S. § 36-899.10; and
 - b. Is performed by an individual who meets the requirements specified in R9-13-112 for the purpose of identifying students who may need further evaluation.
- 82. "Visual acuity" means the relative ability of the visual system to resolve detail that is measured and recorded using an internationally recognized, two-figured indicator, such as 20/20.
- 83. "Written examination" means a series of questions administered in a paper or electronic format designed to determine an individual's knowledge and abilities specific to a hearing or vision screening.

R9-13-102. ~~Hearing Student Screening Population~~ Populations

- A. An administrator shall ensure each student included in a school's hearing screening population specified in Table 13.1 receives a hearing screening.
- B. An administrator may exclude from a school's hearing screening population:
 - 1. A student who is 16 years of age or older;
 - 2. A student for whom the school has documentation from a specialist that:
 - a. States that the student received an audiological evaluation from a specialist;
 - b. Is dated within 12 months before the date the student would receive a hearing screening; or
 - c. Includes a time period during or after the current school year when the student is scheduled to receive another audiological evaluation from the audiologist or specialist; and
 - d. Contains the following information:
 - i. The student's name;
 - ii. The date the student's audiological evaluation was performed;
 - iii. The type of audiological equipment used;
 - iv. Whether the student has been diagnosed as being deaf or hard of hearing and, if so, the type and degree of hearing loss; and
 - v. The name of the specialist who performed the audiological evaluation; and
 - 3. A student who is deaf or hard of hearing.
- C. An administrator shall exclude from a school's hearing screening population a student for whom the administrator has documentation, from a student's parent objecting to the student receiving a hearing screening, specified in A.R.S. § 36-899.04, that contains:
 - 1. The student's name;
 - 2. A statement objecting to the student receiving a hearing screening, including:
 - a. The school year the student should not receive the hearing screening, or
 - b. Instruction the student is not to receive a hearing screening until the parent notifies the administrator that the student may receive a hearing screening; and
 - 3. The parent's name, signature, and date signed.

Table 13.1. Hearing Screening Population

A. Students Included in Hearing Screening Population	
1. All grades, including preschool and kindergarten	Every student: <ul style="list-style-type: none"> a. Who is enrolled in special education, as required by A.R.S. Title 15, Chapter 7, Article 4 and A.A.C. R7-2-401; b. Who did not pass a hearing re-screening <u>rescreening</u> given to the student during the previous school year; c. For whom the school does not have any documentation that the student has previously had a hearing screening; d. Who is repeating a grade; and e. For whom one of the following requests a hearing screening: <ul style="list-style-type: none"> i. The student; ii. The student's parent; iii. A teacher; iv. A school nurse; v. A school psychologist, licensed according to A.R.S. Title 32, Chapter 19.1; vi. An audiologist, licensed according to A.R.S. § 36-1901; vii. A specialist; and viii. A speech-language pathologist, licensed according to A.R.S. § 36-1901; ix. A medical physician, licensed according to A.R.S. Title 32, Chapter 13; x. An osteopathic physician licensed according to A.R.S. Title 32, Chapter 17; and xi. The Department.
2. Preschool	Every enrolled student

3. Kindergarten	Every enrolled student
4. Grade 1	Every enrolled student
5. Grade 2	Every enrolled student for whom the school does not have: a. Documentation that the student received and passed a hearing screening in or after grade 1, or b. Documentation that meets the requirements in subsection (B).
6. Grade 3	Every enrolled student
7. Grades 4	Every enrolled student for whom the school does not have: a. Documentation that the student received and passed a hearing screening in or after grade 3, or b. Documentation that meets the requirements in subsection (B).
8. Grade 5	Every enrolled student
9. Grade 6	Every enrolled student for whom the school does not have: a. Documentation that the student received and passed a hearing screening in or after grade 5, or b. Documentation that meets the requirements in subsection (B).
10. Grade 7	Every enrolled student
11. Grade 8	Every enrolled student for whom the school does not have: a. Documentation that the student received and passed a hearing screening in or after grade 7, or b. Documentation that meets the requirements in subsection (B).
12. Grade 9	Every enrolled student
13. Grades 10, 11, and 12	Every enrolled student for whom the school does not have: a. Documentation that the student received and passed a hearing screening in or after grade 9, or b. Documentation that meets the requirements in subsection (B).
B. Students Not Included in Hearing Screening Population	
1.	A student who is at least 16 years of age and has requested not to receive a hearing screening according to A.R.S. § 36-899.01.
2.	A student whose parent has objected to the student receiving a hearing screening, specified in A.R.S. § 36-899.04.
3.	A student enrolled in a child care facility regulated pursuant to A.R.S. Title 36, Chapter 7.1, Child Care Programs.

D. An administrator shall ensure each student included in a school's vision screening population specified in Table 13.2 receives a vision screening.

E. An administrator may exclude from a school's vision screening population:

1. A student for whom the school has documentation from a specialist that:
 - a. States that the student received an eye examination from the specialist;
 - b. Is dated within 12 months before the date the student would receive a vision screening; or
 - c. Includes a time period during or after the current school year when the student is scheduled to receive another eye examination from the specialist; and
 - d. Contains the following information:
 - i. The student's name;
 - ii. The date the student's eye examination was performed;
 - iii. Whether the student has been diagnosed with vision loss or legally blind and, if so, the type and degree of the vision loss; and
 - iv. The name of the specialist who performed the eye examination;
2. A student with vision loss or legally blind; and
3. A student who is 16 years of age or older.

F. An administrator shall exclude from a school's vision screening population a student for whom the administrator has documentation, from a student's parent objecting to the student receiving a vision screening, specified in A.R.S. § 36-899.10, that contains:

1. The student's name;
2. A statement objecting to the student receiving a vision screening, including:
 - a. The school year the student should not receive the vision screening; or
 - b. Instruction the student is not to receive a vision screening until the parent notifies the administrator that the student may receive a vision screening; and
3. The parent's name, signature, and date signed.

Table 13.2 Vision Screening Population

A. Students Included in Vision Screening Population	
1. <u>Preschool</u>	<u>Every enrolled student, if initial entry to school.</u>
2. <u>Kindergarten</u>	<u>Every enrolled student, if initial entry to school.</u>
3. <u>Grade 3</u>	<u>Every enrolled student.</u>
4. <u>Grade 5</u>	<u>Every enrolled student.</u>
5. <u>All grades, including preschool and kindergarten</u>	<u>Additional screening applicable to every student if one of the following applies:</u>
	a. <u>Who receives or is being considered for special education services pursuant to A.R.S. Title 15, Chapter 7, Article 4 and A.A.C. Title 7, Chapter 2, Article 4 and who has not been screened in the last year;</u>
	b. <u>Who a teacher has requested a screening and who has not been screened in the last year;</u>
	c. <u>Who is not reading at the proficient level by the third grade pursuant to the state assessment required in ARS 15-741;</u>
	d. <u>Who upon initial enrollment and is without documentation of a vision screening. Such a student shall have a vision screening within 90 calendar days of initial enrollment.</u>
B. Students not Included in Vision Screening Population	
1. <u>A student whose parent objects to the student receiving a vision screening specified in A.R.S. § 36-899.10.</u>	
2. <u>A student enrolled in a private education program specified in A.R.S. § 36-899(5).</u>	
3. <u>A student who is an "emancipated person" defined in A.R.S. § 12-2451 and objects to receiving a vision screening.</u>	
4. <u>A student enrolled in a child care facility regulated pursuant to A.R.S. Title 36, Chapter 7.1, Child Care Programs not operated by a school district or charter school who is a licensee specified in R9-5-501(69).</u>	

R9-13-103. Hearing Screening Requirements

- A. Before permitting a screener to provide a hearing screening, an administrator shall ensure that the screener:
 1. Is an audiologist; or
 2. Has a certificate of completion, specified in R9-13-108(F) or (I).
- B. If an individual is not a screener and requires supervision, an administrator shall ensure that the individual provides hearing screenings specified in R9-13-108(M).
- C. Before performing a hearing screening on a student, a screener shall:
 1. Verify that the student is on a list of students in the school's hearing screening population provided by the administrator; and
 2. Conduct a non-otoscopic inspection of the student's outer ears for anything that would contra-indicate continuation of the hearing screening, such as:
 - a. Blood or other bodily fluid in or draining from the auditory canal,
 - b. Earwax that may be occluding,
 - c. An open sore, or
 - d. A foreign object.
- D. If a screener observes a condition specified in subsection (C)(2) when inspecting a student's outer ears, the screener shall:
 1. Not perform a hearing screening on the student, and
 2. Report the student's condition to the administrator immediately.
- E. If a screener does not observe a condition specified in subsection (C)(2) when inspecting a student's outer ears, the screener shall:
 1. Determine the developmental and age appropriate audiological equipment to be used when:
 - a. The student is unable to understand the screener's instructions;
 - b. The student has been designated as a child with a disability, as defined in A.R.S. § 15-761; or
 - c. The student is physically or behaviorally limited in the ability to respond to perceived sounds;
 2. Use one of the hearing screening methods specified in subsection (G);
 3. Perform a hearing screening on each of the student's ears; and
 4. Comply with the requirements specified in R9-13-104(A).
- F. If a screener determines that a student in subsection (E)(1) is not able to complete the hearing screening, the screener shall:
 1. Not perform a hearing screening on the student, and
 2. Report the student's condition to the administrator within 10 school days.
- G. When performing a hearing screening on a student, a screener shall comply with one of the following passing criteria, if using:
 1. A pure tone audiometer to perform a three-frequency, pure tone hearing screening on each of the student's ears with response recorded at each of the following frequencies and intensities:
 - a. 1000 Hz at 20 dB HL,
 - b. 2000 Hz at 20 dB HL, and
 - c. 4000 Hz at 20 dB HL;
 2. A combination of a tympanometer and a pure tone audiometer to:
 - a. Produce a tympanogram showing the following results:
 - i. Peak acoustic immittance in mmho, ml, or compliance for a 226 Hz probe tone; or
 - ii. Tympanometric width in daPa; and
 - b. Obtain the results of a three-frequency, pure tone hearing screening on each of the student's ears with response recorded at each of the following frequencies and intensities:
 - i. 1000 Hz at 20 dB HL,
 - ii. 2000 Hz at 20 dB HL, and
 - iii. 4000 Hz at 20 dB HL; or

3. An OAE device to:
 - a. Measure responses of the cochlea to no less than three test frequencies; and
 - b. Device display screen indicates pass.
- H.** Before permitting a screener to provide a vision screening, an administrator shall ensure that the screener:
 1. Is an optometrist;
 2. Is an ophthalmologist; or
 3. Has a certificate of completion, specified in R9-13-112(E) or (H).
- I.** If an individual is not a screener and requires supervision, an administrator shall ensure that the individual provides vision screenings as specified in R9-13-112(K).
- J.** Before performing a vision screening on a student, a screener shall:
 1. Verify that the student is on a list of students in the school's vision screening population provided by the administrator; and
 2. Conduct an inspection of the student's eyes for anything that would contra-indicate continuation of the vision screening, such as:
 - a. Abnormal color of iris or shape of pupils.
 - b. Asymmetry of eyes or pupil size.
 - c. Cloudy or hazy appearance to cornea.
 - d. Crusty eyelash.
 - e. Discoloration of sclera.
 - f. Drainage from an eye.
 - g. Drooping of an eyelid.
 - h. Growth on an eyelid or eye, or
 - i. Redness and/or swelling of eyes, eyelids, or conjunctivitis.
- K.** If a screener observes a condition specified in subsection (J)(2) when inspecting a student's eyes, the screener shall:
 1. Not perform a vision screening on the student, and
 2. Report the student's condition to the administrator immediately.
- L.** If a screener does not observe a condition specified in subsection (J)(2) when inspecting a student's eyes, the screener shall:
 1. Determine the developmental and age appropriate visual equipment to be used when:
 - a. The student is unable to understand the screener's instructions;
 - b. The student has been designated as a child with a disability, as defined in A.R.S. § 15- 761; or
 - c. The student is physically or behaviorally limited in the ability to respond to perceived visual stimuli;
 2. Use vision screening methods specified in Table 13.3;
 3. Perform a vision screening on each of the student's eyes; and
 4. Comply with the requirements specified in R9-13-104(E).
- M.** If a screener determines that a student in subsection (K)(1) is not able to complete the vision screening, the screener shall:
 1. Not perform a vision screening on the student, and
 2. Report the student's condition to the administrator within 10 school days.

Table 13.3. Vision Screening Requirements

<u>Initial Entry to Preschool or Kindergarten specified in Table 13.2 (A)(1) and (2)</u>	<u>Grade 3 specified in Table 13.2 (A)(3)</u>	<u>Grade 5 specified in Table 13.2 (A)(4)</u>	<u>A student who is not reading at proficient level by the third grade or students specified in Table 13.2 (A)(5)</u>
<u>Distance Visual Acuity</u>	<u>Distance Visual Acuity</u>	<u>Distance Visual Acuity</u>	<u>Distance Visual Acuity</u>
<u>Near Visual Acuity (if able to participate)</u>	<u>Near Visual Acuity</u>	<u>Near Visual Acuity</u>	<u>Near Visual Acuity</u>
<u>Color Vision Deficiency</u>			
<u>Instrument-based Vision Screening:</u>			
<u>A.</u> Autorefractors/Photoscreeners may be used to screen the following populations:			
1. <u>Students who are between the ages of one year but less than six years of age who cannot participate in optotype visual acuity screening.</u>			
2. <u>Students who are six years of age and older who cannot participate in optotype visual acuity screenings, for example children with special healthcare needs and children with developmental delays or disabilities.</u>			
<u>B.</u> Autorefractors/Photoscreeners do not assess a child's ability to see and should not be used in lieu of near or distance optotype visual acuity screening.			

R9-13-104. Criteria for Passing a Hearing and Vision Screening

- A.** A ~~hearing~~ screener shall consider a student to have passed a developmentally and age appropriate hearing screening if one of the following applies:
 1. During a three-frequency, pure tone hearing screening, performed according to R9-13-103(G)(1), the student responds to each frequency and intensity specified in R9-13-103(G)(1)(a) through (c) for each ear on which a hearing screening is performed;
 2. During a hearing screening using both a tympanometer and pure tone audiometer, performed according to R9-13-103(G)(2):
 - a. The tympanogram for each of the student's ears shows:
 - i. The height of the peak acoustic immittance is > 0.3 mmho, ml, or compliance; or
 - ii. The tympanometric width is < 250 daPa; and
 - b. The student responds to each frequency specified in R9-13-103(G)(2)(b)(i) through (iii) for each ear on which a hearing screening is performed; or

3. During a hearing screening using an OAE device, performed according to R9-13-103(G)(3), the OAE device indicates results that the student has passed the hearing screening for each ear.
- B. For a student in a school's hearing screening population who does not receive an initial hearing screening specified in Table 13.1, an administrator shall ensure that the student receives the initial hearing screening not more than 45 school days after the date the student was expected to receive the initial hearing screening.
- C. For a student in a school's hearing screening population who does not pass an initial hearing screening according to subsection (A), an administrator shall ensure that:
 1. The student shall receive a second hearing screening no earlier than 10 school days and no later than 30 school days after the date of the hearing screening specified in R9-13-103;
 2. If the hearing screening specified in R9-13-103(G)(2) was performed using both a tympanometer and pure tone audiometer, the second hearing screening for the student is performed using both a tympanometer and pure tone audiometer; and
 3. If the hearing screening specified in R9-13-103(G)(3) was performed using an otoacoustic emissions device, the second hearing screening for the student is performed using an otoacoustic emissions device.
- D. If a student does not pass the second hearing screening in subsection (C)(1) and (2), an administrator shall provide notification to the student's parent specified in R9-13-105.
- E. A screener shall consider a student to have passed a developmentally and age appropriate vision screening specified in Table 13.3 that meets the test specific passing criteria as determined by the manufacturer of the test.
- F. For a student in a school's vision screening population who is not present for an initial vision screening specified in Table 13.2, an administrator shall ensure that the student's initial vision screening is rescheduled within 45 school days from the date of the previously scheduled vision screening.
- G. For a student in the school's vision screening population who does not pass an initial vision screening according to subsection (E), an administrator shall ensure that the student shall receive a second vision screening no earlier than 10 school days and no later than 30 school days after the date of the vision screening specified in R9-13-103.
- H. If a student does not pass the second vision screening in subsection (G), an administrator shall provide notification to the student's parent specified in R9-13-105.

R9-13-105. Notification; Follow-up

- A. An administrator shall provide a notification to parents of students identified in Table 13.1 that includes:
 1. The information for hearing screening to be conducted during the school year, and
 2. A reference to A.R.S. § 36-899.04 and information about the parent's right to object to their student receiving a hearing screening by submitting the document specified in R9-13-102(C) to the administrator.
- B. If an administrator excludes a student from a hearing screening specified in R9-13-102(B)(3), the administrator shall provide a notification to the student's parent that:
 1. Informs the parent, whose student wears a device listed in subsection (3)(a) through (c), that the student shall not receive a hearing screening;
 2. Recommends the parent schedule an audiological evaluation for the student with a specialist;
 3. Requests the parent in subsection (2) provide the administrator a copy of a specialist's audiological report dated within the past 12 months for the student's:
 - a. Hearing aid,
 - b. Assistive listening device, or
 - c. Other amplification device;
 4. Informs a parent, who chooses for their student to not wear a device listed in subsection (3)(a) through (c), that the student shall receive a hearing screening unless the administrator receives documentation specified in R9-13-102(C) stating that the parent does not want their student to have a hearing screening; and
 5. Informs a parent that a student may receive a hearing screening if an administrator does not have:
 - a. Documentation of an audiological report in subsection (3), or
 - b. Documentation specified in R9-13-102(C) stating that the parent does not want their student to have a hearing screening.
- C. Except for a student in subsection (2)(a), within 10 school days after an initial hearing screening in subsection (A) has been completed, an administrator shall provide notification to a student's parent that includes:
 1. The student's name; and
 2. The reason why the student did not receive a hearing screening due to:
 - a. A visual condition of the outer ear specified in R9-13-103(C)(2), or
 - b. A behavioral condition specified in R9-13-103(E)(1).
- D. Except for a student's second hearing screening in subsection (3)(b), within 10 school days after a student receives a second hearing screening specified in R9-13-104(C), an administrator shall provide notification to a student's parent that includes:
 1. The student's name;
 2. The type of hearing screening the student received, if received; and
 3. The hearing screening results whether the student:
 - a. Did not pass; or
 - b. Was not screened due to:
 - i. A visual condition of the outer ear specified in R9-13-103(C)(2), or
 - ii. A behavioral condition specified in R9-13-103(E)(1).
- E. If a student in subsections (C) or (D) has an audiological evaluation on file at the school that is dated within the past 12 months, the student will not receive a hearing screening.
- F. If a student did not receive a hearing screening due to a reason identified in subsections (C)(2)(a), (D)(3)(a), or (D)(3)(b)(i), an administrator shall provide an immediate notification to the student's parent that includes:
 1. The student's name;

2. The reason for the immediate notification;
 3. A request that the parent contact a specialist to:
 - a. Examine the student's ears;
 - b. Perform an audiological evaluation; and
 - c. If the student uses any of the following, perform an:
 - i. Electroacoustic analysis of a hearing aid, an assistive listening device, or other amplification device; or
 - ii. Evaluation of a cochlear implant; and
 4. A request that the parent provide to the administrator documentation received from the specialist who examined the student that includes:
 - a. The student's name;
 - b. The name of the specialist;
 - c. The date the specialist performed the services;
 - d. The type of services provided; and
 - e. If applicable:
 - i. The results of the examination of the student's ears,
 - ii. The results of the student's audiological evaluation, including diagnosis,
 - iii. Whether there is hearing loss, including the type and degree of hearing loss,
 - iv. The type of audiological equipment used to perform the audiological evaluation; and
 - v. A recommendation for treatment.
- G.** Forty-five calendar days after sending a notification specified in subsection (F)(4), an administrator shall provide a follow-up notification to the student's parent to verify whether the student received an audiological evaluation and if evaluated, provide a diagnosis.
- H.** Within 10 school days after an administrator receives documentation from a specialist of a diagnosis that a student is deaf or hard of hearing, the administrator shall provide notification of the diagnosis, consistent with the privacy requirements in applicable law, to:
1. Each of the student's teachers,
 2. Other school personnel who interacts with the student, and
 3. The persons responsible for determining the student's eligibility for special education services under A.A.C. R7-2-401.
- I.** An administrator shall provide a notification to parents of students identified in Table 13.2 that includes:
1. The information for vision screening to be conducted during the school year; and
 2. A reference to A.R.S. § 36-899.10 and information about the parent's right to object to their student receiving a vision screening by submitting the document specified in R9-13-102(F) to the administrator.
- J.** If an administrator excludes a student from a vision screening specified in R9-13-102(E)(2), the administrator shall provide a notification to the student's parent that:
1. Inform the parent that the student shall not receive a vision screening;
 2. Recommend the parent schedule a vision examination for the student with a specialist; and
 3. Request the parent in subsection (2) provide the administrator a copy of a specialist's vision report dated within the past 12 months for the student's:
 - a. Eyeglasses,
 - b. Contact lens, or
 - c. Other vision correction surgeries or vision therapies used to assist vision.
- K.** Except for a student in subsection (2)(a), within 10 school days after an initial vision screening in subsection (I) has been completed, an administrator shall provide notification to a student's parent that includes:
1. The student's name; and
 2. The reason why the student did not receive a vision screening due to:
 - a. A visual condition of the eye specified in R9-13-103(J)(2), or
 - b. A condition specified in R9-13-103(L)(1).
- L.** Except for a student's second vision screening in subsection (3)(b), within 10 school days after a student receives a second vision screening specified in R9-13-104(F) an administrator shall provide notification to a student's parent that includes:
1. The student's name;
 2. The type of vision screening the student received, if received; and
 3. The vision results whether the student:
 - a. Did not pass, or
 - b. Was not screened due to:
 - i. A visual condition of the eye specified in R9-13-103(J)(2), or
 - ii. A behavioral condition specified in R9-13-103(L)(1).
- M.** If a student in subsections (K) or (L) has a vision examination on file at the school that is dated within the past 12 months, the student will not receive a vision screening.
- N.** If a student did not receive a vision screening due to a reason identified in subsections (K)(2)(a), (L)(3)(a), or (L)(3)(b)(i), an administrator shall provide an immediate notification to the student's parent that includes:
1. The student's name;
 2. The reason for the immediate notification;
 3. A request that the parent contact a specialist to:
 - a. Examine the student's eyes;
 - b. Perform an evaluation; and
 - c. If the student uses any of the following:
 - i. Examination of the eyeglasses,
 - ii. Examination of contact lens, or

- iii. Evaluation related to a vision correction surgery or vision therapy; and
- 4. A request that the parent provide to the administrator documentation received from the specialist who examined the student that includes:
 - a. The student's name;
 - b. The name of the specialist;
 - c. The date the specialist performed the services;
 - d. The type of services provided; and
 - e. If applicable:
 - i. The results of the examination of the student's eyes;
 - ii. The results of the student's vision examination, including diagnosis;
 - iii. Whether there is vision loss, including the type and degree of vision loss; and
 - iv. A recommendation for treatment.
- O.** Forty-five calendar days after sending a notification specified in subsection (N)(4), an administrator shall provide a follow-up notification to the student's parent to verify whether the student received a vision examination and if evaluated, provide a diagnosis.
- P.** Within 10 school days after an administrator receives documentation from a specialist of a diagnosis that a student is blind or has loss of vision, the administrator shall provide notification of the diagnosis, consistent with the privacy requirements in applicable law, to:
 - 1. Each of the student's teachers,
 - 2. Other school personnel who interacts with the student, and
 - 3. The persons responsible for determining the student's eligibility for special education services under A.A.C. R7-2-401.

R9-13-106. Equipment Standards

- A.** An administrator shall ensure that audiological equipment used for hearing screenings is recommended by the American Academy of Audiology.
- B.** An administrator shall ensure that:
 - 1. A pure tone audiometer is calibrated:
 - a. Not more than 12 months before the hearing screening is planned to occur, and
 - b. According to ANSI/ASA S3.6-2010 American National Standards Institution/Acoustical Society of America, Specification for Audiometers, incorporated by reference, on file with the Department, including no future editions or amendments, and available from the American National Standards Institution at <https://webstore.ansi.org>.
 - 2. A tympanometer is calibrated:
 - a. Not more than 12 months before the hearing screening is planned to occur; and
 - b. According to ANSI/ASA S3.39-1987 (R2012) American National Standards Institution/Acoustical Society of America, American National Standard Specifications for Instruments to Measure Aural Acoustic Impedance and Admittance (Aural Acoustic Immittance), incorporated by reference, on file with the Department, including no future editions or amendments, and available from the American National Standards Institution at <https://webstore.ansi.org>.
 - 3. An OAE device is calibrated:
 - a. Not more than 12 months before the hearing screening is planned to occur; and
 - b. According to the specifications of the otoacoustic emissions device's manufacturer, including:
 - i. Distortion product emission,
 - ii. No less than three test frequencies between 1 and 5 kHz,
 - iii. An f2/f1 ratio of 1.22,
 - iv. A L1/L2 levels of 65/55 dB SPL, and
 - v. A pass and fail criterion based on an emission-to-noise ratio.
- C.** A screener shall ensure that:
 - 1. A pure tone audiometer:
 - a. Is inspected within one school day before the hearing screening is planned to occur; and
 - b. During the inspection in subsection (1)(a):
 - i. Had a power source and power indicator that were working,
 - ii. Had earphones that were free of noise or distortion that could interfere with a hearing screening,
 - iii. Had earphone cords that were connected securely to the pure tone audiometer and had no breaks, and
 - iv. Generated a signal at each frequency and intensity specified in R9-13-103(G)(1) that did not cross from one earphone to the other.
 - 2. A tympanometer:
 - a. Is inspected within one school day before the hearing screening is planned to occur; and
 - b. During the inspection in subsection (2)(a):
 - i. Had no obstruction in the tympanometer's probe, and
 - ii. Generated a signal.
 - 3. An OAE device:
 - a. Is inspected within one school day before the hearing screening is planned to occur; and
 - b. During the inspection in subsection (3)(a):
 - i. Had no obstruction in the OAE's probe microphone, and
 - ii. Generated a signal.
- D.** The administrator shall ensure vision equipment used to conduct vision screenings is in good condition, and if applicable, verify a calibration date is up-to-date according to manufacturer guidelines:
 - 1. Optotype charts;
 - 2. Pseudoisochromatic plates; and
 - 3. Autorefractors/Photoscreeners.

E. A vision screener shall ensure vision equipment is:

1. Used for vision screenings based on the age and developmental abilities of the student;
2. If applicable, verify an autorefractor/photoscreeners' calibration date is within the past 12 months from the day the vision screening is provided; and
3. Inspected within one school day before the vision screening is scheduled to occur.

R9-13-107. Records and Reporting Requirements**A.** An administrator shall obtain from a hearing screener:

1. The screener's license number, if the screener is an audiologist; or
2. A copy of the screener's certificate of completion dated within four years before the date the hearing screening is planned to occur.

B. A student's record shall include:

1. The dates and results of each hearing screening performed on the student;
2. An objection to a hearing screening made by the student's parent specified in R9-13-102(C);
3. A request for a hearing screening made by an individual listed in Table 13.1;
4. A written diagnosis received by an administrator from a specialist specified in R9-13-105(H) that a student is deaf or hard of hearing;
5. If an administrator received a written diagnosis in subsection (4), the name of each individual specified in R9-13-105(H) that received notification of the student's diagnosis and the date notified; and
6. If an administrator notified a student's parent according to R9-13-105:
 - a. A copy of the notification; or
 - b. Documentation that contains:
 - i. The reason for the notification,
 - ii. The date of notification, and
 - iii. Whether the administrator recommended that the student have an audiological evaluation completed by a specialist.

C. Between April 1 and June 30 of each school year, an administrator shall submit to the Department in a Department-provided format:

1. The school:
 - a. Name,
 - b. Address, and
 - c. Telephone number;
2. The name of the school district, if applicable; and
3. For hearing screenings conducted at the school during the school year:
 - a. The name of each screener who performed hearing screenings;
 - b. The screener's audiological license number, if applicable;
 - c. A copy of the screener's certificate of completion specified in R9-13-108(F) or R9-13-108(I)(3), if applicable;
 - d. The type of audiological equipment used to conduct the hearing screenings;
 - e. The date the audiological equipment was calibrated;
 - f. The name and title of the individual submitting the information;
 - g. The date the information is submitted;
 - h. Whether the hearing screenings for students identified in Table 13.1 were conducted within the first 45 calendar days of the school year;
 - i. The number of students grouped by:
 - i. The grades listed in Table 13.1, and
 - ii. Enrollment in special education;
 - j. The number of students who:
 - i. Were enrolled at the start of the school year prior to the first hearing screening provided to students,
 - ii. Were excluded from the school's hearing screening population as specified in R9-13-102(B) and Table 13.1,
 - iii. Received an initial hearing screening,
 - iv. Did not pass an initial hearing screening,
 - v. Received a second hearing screening,
 - vi. Did not pass a second hearing screening, and
 - vii. Were first identified as deaf or hard of hearing; and
 - k. The number of students for whom:
 - i. An administrator provided notification to a student's parent, as specified in R9-13-105; and
 - ii. An administrator received documentation during the school year from a student's specialist related to an examination, audiological evaluation, electroacoustic analysis, or evaluation of the student's cochlear implant.

D. An administrator shall obtain from a vision screener:

1. The screener's license number, if the screener is an optometrist or an ophthalmologist; or
2. A copy of the screener's certificate of completion dated within four years before the date the vision screening is planned to occur.

E. A student's record shall include:

1. The dates and results of each vision screening performed on the student;
2. An objection to a vision screening made by the student's parent specified in R9-13-102(F);
3. A request for a vision screening made by an individual listed in Table 13.2;
4. A written diagnosis received by an administrator from a specialist specified in R9-13-105(P) of the student's vision loss or legally blind;
5. If an administrator received a written diagnosis in subsection (4), the name of each individual specified in R9-13-105(P) that received notification of the student's diagnosis and the date notified; and

6. If an administrator notified a student's parent according to R9-13-105:
 - a. A copy of the notification; or
 - b. Documentation that contains:
 - i. The reason for the notification,
 - ii. The date of notification, and
 - iii. Whether the administrator recommended that the student have a visual evaluation completed by a specialist.
- E.** Between April 1 and June 30 of each school year, an administrator shall submit to the Department in a Department-provided format:
 1. The school:
 - a. Name,
 - b. Address, and
 - c. Telephone number;
 2. The name of the school district, if applicable; and
 3. For vision screenings conducted at the school during the school year:
 - a. The name of each screener who performed vision screenings;
 - b. The screener's optometry or ophthalmology license number, if applicable;
 - c. A copy of the screener's certificate of completion specified in R9-13-113(E) or in R9-13-113(F), if applicable;
 - d. The type of vision equipment used to conduct the vision screenings;
 - e. The date the vision equipment was calibrated, if applicable;
 - f. The name and title of the individual submitting the information;
 - g. The date the information is submitted;
 - h. Whether the vision screenings for students identified in Table 13.2 were conducted within the first 90 calendar days of the school year;
 - i. The number of students grouped by:
 - i. The grades listed in Table 13.2; and
 - ii. Enrollment in special education;
 - j. The number of students who:
 - i. Were enrolled at the start of the school year prior to the first vision screening provided to students;
 - ii. Were excluded from the school's vision screening population as specified in R9-13-102(E) and Table 13.2;
 - iii. Received an initial vision screening;
 - iv. Did not pass an initial vision screening;
 - v. Received a second vision screening;
 - vi. Did not pass a second vision screening; and
 - vii. Were first identified as having vision loss or legally blind; and
 - k. The number of students for whom:
 - i. An administrator provided notification to a student's parent, as specified in R9-13-105; and
 - ii. An administrator received documentation during the school year from a student's specialist related to an eye examination.
 - G.** An administrator shall retain the information in:
 1. Subsection (A) and (D) for at least three years after the date that the hearing screening or the vision screening occurred.
 2. Subsection (B) and (E) for three school years after the fiscal year of last attendance, according to the Arizona State Library, Archives and Public Records, General Records Retention Schedule for All Arizona School Districts and Charter Schools Student Records.

R9-13-108. Hearing Screener Qualifications

- A.** An individual may be a hearing screener:
 1. If the individual is an audiologist, or
 2. If the individual:
 - a. Is at least 18 years of age;
 - b. Has a high school diploma or a general equivalency diploma;
 - c. Has the ability to recognize a student's response to hearing a range of tones at different pitches and volumes; and
 - d. Has a current hearing screener certificate of completion specified in subsection (F).
- B.** For an individual, who is not an audiologist, to become a hearing screener, the individual shall complete classroom instruction for pure tone audiometry provided by a hearing trainer:
 1. Introduction to hearing screening for children, including the:
 - a. Development of speech and language,
 - b. Anatomy and physiology of the ear,
 - c. Signs of hearing loss in children,
 - d. Prevention of hearing loss in children,
 - e. Otitis media, and
 - f. Infection control;
 2. Essentials for hearing screening children, including:
 - a. Auditory development;
 - b. Rationale for early identification of hearing loss;
 - c. When, how, and on whom hearing screening is performed; and
 - d. How to set up a hearing screening, including the selection of a method to use for hearing screening and a location to conduct hearing screening;
 3. Hearing screening protocols, including:

- a. Possible results of hearing screening;
- b. ~~Screening~~ Hearing screener requirements specified in this Article;
- c. Procedures for tracking students expected to receive hearing screening and recording hearing screening results;
- d. Notification of and communication with the parents of students;
- e. The information that a parent of a student who does not pass a hearing screening is requested to obtain from the student's specialist and provide to the student's school;
- f. When and to whom a student's hearing loss is required to be reported;
- g. Procedures for reporting hearing screening results to the Department;
- h. What resources are available to the parent of a student who does not pass hearing screening; and
- i. Requirements in A.R.S. Title 36, Chapter 7.2 and requirements in this Article in addition to screener requirements; and
- 4. Audiological equipment, including:
 - a. A pure tone audiometer:
 - i. How a pure tone audiometer works;
 - ii. Checking the pure tone audiometer and earphones before performing hearing screening;
 - iii. Earphone placement;
 - iv. Performing hearing screening using a pure tone audiometer;
 - v. Identifying students who need a second hearing screening; and
 - vi. Identifying students for whom notification of a parent is required; or
 - b. An otoacoustic emission device:
 - i. How an otoacoustic emission device works;
 - ii. Why and when it is appropriate to use an otoacoustic emissions device during hearing screening;
 - iii. Performing a hearing screening using an otoacoustic emissions device with a remote probe;
 - iv. Identifying students who need a second hearing screening; and
 - v. Identifying students for whom notification of a parent is required.
- C. An individual who has completed the hearing screening instruction in subsection (B) may request hearing training in the use of a tympanometer by completing the following classroom instruction provided by a trainer:
 - 1. How a tympanometer works;
 - 2. Why and when it is appropriate to use a tympanometer during hearing screening;
 - 3. The anatomy and functions of the middle ear and Eustachian tube;
 - 4. How to use a tympanometer;
 - 5. Identifying students who need a second hearing screening; and
 - 6. Identifying students for whom notification of a parent is required.
- D. Obtain a score of at least 80% on a written examination that covers the classroom instruction specified in subsection (B) or (C).
- E. Demonstrate competency in the use of the audiological equipment specified in subsection (B) or (C) that an individual received classroom instruction.
- F. Obtain a certificate of completion in a Department-provided format from the hearing trainer who provided the classroom instruction, examination, and competency assessment specified in (B) through (E), as applicable, that includes:
 - 1. The individual's name;
 - 2. The hearing screening methods specified in subsections (B) or (C) completed by the individual;
 - 3. The date the individual completed the classroom instruction in subsection (B) or (C);
 - 4. The date the individual completed the hearing screening:
 - a. Examination; and
 - b. Assessment, including the type of audiological equipment;
 - 5. The certificate of completion issue date;
 - 6. An attestation that the classroom instruction provided to the individual meets the requirements in subsection (B) or (C); and
 - 7. The hearing trainer's printed name and date issued.
- G. A hearing screener's certificate of completion expires four years from the issue date indicated on the certificate of completion specified in subsection (F).
- H. Prior to the expiration date of a certificate of completion, a hearing screener shall complete the requirements in subsection (I) to renew the hearing screener's certificate of completion.
- I. A hearing screener, who is not an audiologist, wanting to renew a certificate of completion shall:
 - 1. Complete two hearing screening continuing education units each year:
 - a. Specified by the Department according to subsection (J), and
 - b. Applicable to the type of audiological equipment that the screener uses when performing a hearing screening;
 - 2. As provided by a hearing trainer:
 - a. Complete four hours of classroom instruction related to:
 - i. Development of speech and language,
 - ii. Essentials for hearing screening children, and
 - iii. Hearing screening protocols;
 - b. Obtain a score of at least 80% on a written examination that covers the hearing screening requirements in subsection (a); and
 - c. Demonstrate competency in the use of the audiological equipment consistent with the hearing screening training received in subsection (1) and (2);
 - 3. Obtain a certificate of completion in a Department-provided format from the hearing trainer who provided classroom instruction, the examination, and competency assessment in subsection (2) that includes:
 - a. The hearing screener's name;

- b. The hearing screening methods specified in subsection (1);
 - c. The date the hearing screener completed the methods in subsection (1);
 - d. The date the hearing screener completed the hearing screening:
 - i. Examination; and
 - ii. Assessment, including the type of audiological equipment;
 - e. The certificate of completion issue date;
 - f. An attestation that the classroom instruction provided to the hearing screener meets the requirements in subsections (1) and (2); and
 - g. The hearing trainer's printed name.
- J.** By January 1 of each calendar year, the Department shall provide a list of Department-approved continuing education courses.
- K.** An individual who does not score at least 80% on a written examination in subsection (D) may retake the written examination. If an individual does not score at least 80% on the second written examination, the individual shall repeat classroom instruction in subsection (B) or (C) before taking a third written examination.
- L.** A hearing screener, who does not score at least 80% on a written examination for renewal in subsection (I), may retake the written examination. A hearing screener, who does not score at least 80% on the second written examination, shall repeat the classroom instruction in subsection (I)(1) and (2) before taking a third written examination.
- M.** An individual who is not a hearing screener:
- 1. May use a pure tone audiometer to perform an initial three-frequency, pure tone hearing screening for a student, specified in R9-13-103(G)(1), under the supervision of a hearing screener; and
 - 2. Shall not perform a hearing screening:
 - a. For a student who did not pass an initial hearing screening,
 - b. Using a combination of a tympanometer and a pure tone audiometer according to R9-13-103(G)(2); or
 - c. Using an OAE device specified in R9-13-103(G)(3).

R9-13-109. Hearing Trainer Eligibility

- A.** An individual is eligible to be a hearing trainer if the individual meets at least one of the following:
- 1. Has completed at least 30 semester credits at an accredited college or university related to audiology and speech-language pathology or the equivalent credits from a college or university from outside the United States or its territories verified by a Department-approved third-party evaluation service;
 - 2. Has completed at least two years of employment in a position directly related to and providing assistance in the practice of audiology and speech-language pathology;
 - 3. Is currently licensed in this state as an audiologist according to A.R.S. Title 36, Chapter 17; or
 - 4. Is currently a hearing screener who has maintained a hearing screener certificate of completion for the previous five years.
- B.** In addition to subsection (A), an individual who meets the requirement in:
- 1. Subsection (1) or (2), has completed at least 100 hearing screenings within the previous 12 months from the date of request specified in R9-13-110(C)(9).
 - 2. Subsection (3), has completed at least 25 hearing screenings within the previous 12 months from the date of request specified in R9-13-110(C)(9).
 - 3. Subsection (4), has completed 3,000 hearing screenings within the previous five years from the date of request specified in R9-13-110(C)(9).
- C.** Prior to the expiration date of a hearing trainer certificate of completion, a hearing trainer is eligible to renew a certificate of completion if the hearing trainer demonstrates the hearing trainer provided at least two hearing screening trainings for each year during the five-year period that a certificate of completion is valid.
- D.** The practice of a hearing trainer includes:
- 1. Providing classroom instruction specified in R9-13-108(B) and (C) in a classroom;
 - 2. Training individuals in hearing screening skills, procedures, and techniques specified in R9-13-108(B) and (C);
 - 3. Observing and assessing individuals and screeners in the operations of audiological equipment specified in R9-13-108(E);
 - 4. Administering to individuals a hearing screening examination specified in R9-13-108(D);
 - 5. Entering an individual's or hearing screener's information in the Department's hearing screening database for issuance of a hearing certificate of completion; and
 - 6. Providing, if available to the public, notice to the Department indicating what, where, and when classroom instruction, examination, or assessment of competency are scheduled to be provided to individuals to become a screener specified in R9-13-110(C)(8) or ~~R9-13-112(C)(4)~~ R9-13-111(C)(4).
- E.** A hearing trainer who provides instruction to an individual seeking a hearing screener certificate of completion shall:
- 1. Ensure that:
 - a. Eight hours of classroom instruction is provided, and
 - b. The types of classroom instruction are consistent with R9-13-108; and
 - 2. Establish a hearing screening record in the Department's hearing screening database for each individual seeking a hearing certificate of completion as a screener that includes:
 - a. The individual's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. The date the hearing certificate of completion expires;
 - c. The address where the classroom instructions, examination, and assessment were held;
 - d. If applicable, the name of a sponsoring organization, such as a school, school district, or other public agency; and

- e. Documentation indicating when classroom instruction, examination, and assessment were provided.
- F. A hearing trainer who provides instruction to as hearing screener who is seeking renewal of hearing certificate of completion shall:
 - 1. Ensure that:
 - a. A hearing screening continuing education units are completed,
 - b. Four hours of classroom instruction is provided, and
 - c. The types of classroom instruction are consistent with R9-13-108(I); and
 - 2. Update the hearing screener's record in the Department's hearing screening database for each screener seeking renewal of certificate of completion that includes:
 - a. The screener's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. The date the hearing certificate of completion expires;
 - c. The address where the classroom instructions, examination, and assessment were held;
 - d. If applicable, the name of a sponsoring organization, such as a school, school district, or other public agency; and
 - e. Documentation indicating when classroom instruction, examination, and assessment were provided.
- G. A hearing trainer shall:
 - 1. Comply with A.R.S. §§ 36-899 through 36-899.04, and
 - 2. Comply with this Article.

R9-13-110. Hearing Trainer Certificate of Completion Request

- A. An individual may apply for a hearing trainer certificate of completion if the individual meets the eligibility requirements specified in R9-13-109(A) and (B).
- B. An individual applying for a hearing trainer certificate of completion shall submit a request to the Department at least 30 days prior to November 1 of a calendar year.
- C. An individual shall provide a request for a hearing trainer certificate of completion to the Department in a Department-provided format that includes:
 - 1. The individual's;
 - a. Name,
 - b. Address,
 - c. E-mail address, and
 - d. Telephone number;
 - 2. If applicable, the individual's former names;
 - 3. If the individual has completed thirty semester credits specified in R9-13-109(A)(1), the:
 - a. Name of the accredited college or university attended,
 - b. Class title for each class completed, and
 - c. Number of semester credits for each class;
 - 4. If the individual has completed two years of employment specified in R9-13-109(A)(2), the:
 - a. Employer's name,
 - b. Individual's position and description of responsibilities, and
 - c. Months and years of employment;
 - 5. If the individual is a licensed audiologist specified in R9-13-109(A)(3), the:
 - a. Audiologist's license number, and
 - b. Date of expiration;
 - 6. If the individual is a hearing screener specified in R9-13-109(A)(4), who has maintained a hearing screener certificate of completion for the previous five years, the:
 - a. Names of the school districts where the screener provided hearing screenings, and
 - b. Screener's certification of completion date of expiration;
 - 7. Whether the individual completed the hearing screenings specified in R9-13-109(B);
 - 8. An attestation that the individual affirms:
 - a. To provide, if available to the public, notice of hearing screening instruction, examination, or assessment of competency specified in R9-13-109(D) to the Department 30 calendar days prior to providing to individuals to become a hearing screener;
 - b. To provide information for each hearing screening training specified in R9-13-109(C); and
 - c. The information provided in the request for certificate of completion is true and accurate; and
 - 9. The individual's printed name and date of signature.
- D. Within 10 calendar days from the date the Department receives an individual's request for a hearing trainer certificate of completion, the Department shall send a notification to the individual that:
 - 1. The individual may register to take hearing classroom instruction and written examination, and
 - 2. How the individual may register.
- E. If the Department determines there is a need for additional hearing trainers prior to the November 1 submission date in subsection (B), the Department shall provide:
 - 1. A notice to the public that hearing trainer certificate of completion requests will be accepted.
 - 2. When an individual may submit a hearing trainer certificate of completion request.
- F. If the Department determines not to accept any hearing trainer certificate of completion requests in subsection (B), the Department shall provide:

1. A notice to the public that no hearing trainer certificate of completion requests will be accepted.
2. The notice 30 days prior to the November 1 submission date in subsection (B).

R9-13-111. Hearing Trainer Instruction, Examination, and Observation

- A. An individual requesting to become a hearing trainer shall complete required classroom instruction, written examination, and observation within 160 calendar days from the date provided in the Department's notification specified in R9-13-110(D).
- B. An individual, who has received notification from the Department specified in R9-13-110(D), shall attend classroom instruction provided by the Department or designee that includes:
 1. Adult education learning strategies,
 2. Sensory curriculum,
 3. Hearing screening protocols,
 4. Audiological equipment, and
 5. Written examination.
- C. An individual who completes classroom instruction and written examination specified in subsection (B) shall:
 1. Pass a written examination with a score of 80% or more;
 2. Obtain written confirmation from the Department or designee that indicates the individual's competency in the use of each type of audiological equipment in subsection (B)(4);
 3. Submit to the Department, in a Department-provided format, a request to schedule hearing screening training observation that includes:
 - a. The individual's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. The date the individual passed the written examination in subsection (C)(1); and
 - c. The date the individual is requesting the hearing screening training observation; and
 4. Submit the request to take the hearing screening training observation 30 calendar days prior to the individual's requested schedule hearing screening training observation in subsection (3)(c).
- D. Within 10 calendar days from the date the Department receives an individual's request to schedule a hearing screening training observation, the Department shall send a notification to the individual that:
 1. The individual may register for hearing screening training observation, and
 2. How the individual may register.
- E. An individual who completes hearing screening training observation in subsection (D) shall:
 1. Pass the hearing screening training observation with a score of 80% or more; and
 2. Obtain a trainer certificate of completion from the Department or designee.
- F. Within 10 calendar days from the date an individual passed the hearing screening training observation with a score of 80% or more, the Department shall send the individual a trainer certificate of completion.
- G. An individual, who does not score at least 80% on a written examination in subsection (D), may take a second written examination no later than 30 calendar days after having taken the first written examination.
- H. If an individual does not score at least 80% on the second written examination, the individual shall repeat the classroom instruction in subsection (B) before taking a third written examination.
- I. An individual who does not pass the written examination in subsection (H) shall not be issued a certificate of completion.
- J. An individual, who does not pass a training observation in subsection (E), may take a second training observation no later than 60 calendar days after having taken the first training observation.
- K. If an individual does not pass the second training observation, the individual shall repeat the classroom instruction in subsection (B) and written examination in subsection (C) before taking a third training observation.
- L. An individual who does not pass the training observation in subsection (K) shall not be issued a certificate of completion.
- M. If an individual does not complete the hearing screening training observation within 160 calendar days in subsection (E), the individual shall reapply for a hearing trainer certificate of completion as specified in R9-13-110.
- N. By October 1 of each year, if the Department accepts requests specified in R9-13-110(B), the Department will provide a list of Department-approved core curriculum and applicable material related to classroom instruction in subsection (B).
- O. An individual, who does not pass the written examination or pass the training observation may file an appeal according to A.R.S. Title 41, Chapter 6, Article 10.

~~R9-13-112. Trainer Certificate of Completion Renewal~~

- ~~A. A trainer's certificate of completion expires five years from the issue date specified on the certificate of completion; and~~
- ~~B. Except as specified in R9-13-113(H), a trainer shall renew the trainer's certificate of completion trainer every five years.~~
- ~~C. At least 60 calendar days before the expiration date of a certificate of completion, a hearing trainer shall submit to the Department a renewal request in a Department-provided format that contains:~~
 - ~~1. The trainer's:~~
 - ~~a. Name;~~
 - ~~b. Address;~~
 - ~~c. E-mail address, and~~
 - ~~d. Telephone number;~~
 - ~~2. For each continuing education course specified in R9-13-117(B) and (C), the following:~~
 - ~~a. The course title, separate~~
 - ~~b. A course description;~~

- e. The name of the individual providing the continuing education course;
- d. The date the continuing education course was completed; and
- e. The total number of continuing education hours attended;
- 3. For each hearing screening training specified in R9-13-109(C), the following:
 - a. Title of the classroom instruction, examination, or assessment provided, as applicable;
 - b. Date and location of the classroom instruction, examination, or assessment provided in subsection (a); and
 - e. Number of attendees;
- 4. An attestation that the trainer affirms:
 - a. The continuing education courses specified in subsection (2) are applicable and consistent with the Department's approved continuing education courses;
 - b. To provide, if available to the public, notice of hearing screening instruction, examination, or assessment of competency specified in R9-13-109(D) to the Department 30 calendar days prior to the trainer providing to individuals to become a screener; and
 - e. The information in the request for renewal is true and accurate; and
- 5. The trainer's printed name and date of signature.
- D.** Within 10 calendar days from the date a trainer submits a renewal request, the Department shall send the trainer a certificate of completion.
- E.** Except as specified in R9-13-113, a trainer who does not submit a trainer renewal request according to this Section 60 calendar days prior to the expiration date of the trainer's certificate of completion, the trainer's certificate of completion expires.
- F.** Except as specified in R9-13-113, a trainer who does not complete required continuing education specified in subsection (C)(2) shall apply for a trainer certificate of completion specified in R9-13-110 and R9-13-111.

R9-13-112. Vision Screener Qualifications

- A.** Except as specified in R9-13-119, an individual may be a vision screener:
 - 1. If the individual is an optometrist or ophthalmologist, or
 - 2. If the individual:
 - a. Is at least 18 years of age;
 - b. Has a high school diploma or a general equivalency diploma;
 - c. Has the ability to recognize a student's response using the recommended vision screening equipment; and
 - d. Has a current vision certificate of completion specified in subsection (F).
- B.** For an individual, who is not an optometrist or ophthalmologist, to become a vision screener, the individual shall complete classroom instruction for vision screening provided by a vision trainer:
 - 1. Introduction to vision screening for children, including the:
 - a. Anatomy, physiology, and development of the eye;
 - b. Signs and types of vision loss in children; and
 - c. Prevention of vision loss in children;
 - 2. Essentials for vision screening children, including:
 - a. When, how, and on whom vision screening is performed;
 - b. How to set up a vision screening, including the selection of a method to use for vision screening and a location to conduct vision screening; and
 - c. Infection control;
 - 3. Vision screening protocols, including:
 - a. Types of age-specific vision equipment;
 - b. Proper vision screening techniques;
 - c. Possible results of vision screening;
 - d. Vision screener requirements specified in this Article;
 - e. Procedures for tracking students expected to receive vision screening and recording vision screening results;
 - f. Identifying students who need a second vision screening; and
 - g. Requirements in A.R.S. Title 36, Chapter 7.2 and requirements in this Article in addition to vision screener requirements; and
 - 4. Vision screening results, including documentation:
 - a. Notification of and communication with the parents of students;
 - b. The information that a parent of a student who does not pass a vision screening is requested to obtain from the student's specialist and provide to the student's school;
 - c. Procedures for reporting vision screening results to the Department;
 - d. When and to whom a student's vision loss is required to be reported; and
 - e. What resources are available to the parent of a student who does not pass vision screening.
- C.** Obtain a score of at least 80% on an examination that covers the classroom instruction specified in subsection (B).
- D.** Demonstrate competency in the use of the visual equipment specified in subsection (B)(3) to a vision trainer through either an in-person competency assessment or another Department-approved method, including a virtual environment that allows the vision trainer to adequately evaluate the competency of the individual.
- E.** Obtain a certificate of completion in a Department-provided format from the vision trainer who provided the classroom instruction, examination, and assessed competency using the equipment specified in (B) that includes:
 - 1. The individual's name;
 - 2. The date the individual completed the classroom instruction including written examination;
 - 3. The date the individual successfully completed the competency assessment including the type of vision equipment used;
 - 4. The certificate of completion issue date;

5. If applicable, an attestation that the classroom instruction provided to the individual meets the requirements in subsection (B); and
6. The vision trainer's printed name and date issued.
- E.** A vision screener's certificate of completion expires four years from the issue date indicated on the vision certificate of completion specified in subsection (E).
- G.** Prior to the expiration date of a vision certificate of completion, a vision screener shall complete the requirements in subsection (H) to renew the vision screener's certificate of completion.
- H.** A vision screener, who is not an optometrist or ophthalmologist, wanting to renew a certificate of completion shall:
 1. As provided by a trainer or another Department-approved method:
 - a. Complete instruction related to:
 - i. Essentials for vision screening children, and
 - ii. Vision screening protocols;
 - b. Obtain a score of at least 80% on a written examination that covers the vision screening requirements in subsection (a); and
 - c. Demonstrate competency in the use of the visual equipment consistent with the vision screening training received in subsection (a);
 2. Obtain a vision certificate of completion in a Department-provided format from the vision trainer who provided classroom instruction, written examination, and assessed competency using the equipment specified in subsection (1)(c) that includes:
 - a. The vision screener's name;
 - b. The date the individual completed the classroom instruction including written examination;
 - c. The date the individual successfully completed the competency assessment including the type of vision equipment used;
 - d. The vision certificate of completion issue date;
 - e. If applicable, an attestation that the classroom instruction provided to the screener meets the requirements in subsections (1) and (2); and
 - f. The vision trainer's printed name.
- I.** An individual who does not score at least 80% on a written examination in subsection (C) may retake the written examination. If an individual does not score at least 80% on the second written examination, the individual shall repeat classroom instruction in subsection (B) before taking a third written examination.
- J.** A vision screener, who does not score at least 80% on a written examination for renewal in subsection (H), may retake the written examination. A vision screener, who does not score at least 80% on the second written examination, shall repeat the classroom instruction in subsection (H)(1) and (2) before taking a third written examination.
- K.** An individual who is not a vision screener:
 1. May perform any part or all of a vision screening under the supervision of a vision screener; and
 2. Shall not perform a vision screening:
 - a. For a student who did not pass an initial vision screening; or
 - b. Who was not screened based on a condition identified in Section R9-13-103 (J) or (K).

R9-13-113. Trainer Continuing Education Repealed

- A.** By January 1 of each calendar year, the Department shall provide a list of Department-approved continuing education courses.
- B.** Each calendar year, a trainer, who is not an audiologist, shall complete 10 continuing education units approved by the Department.
- C.** Every two calendar years, a trainer, who is an audiologist, shall complete 20 continuing education units approved by the Department.
- D.** A trainer shall report continuing education units completed in subsection (B) and (C) as required in a trainer renewal request specified in R9-13-112(C).
- E.** By November 1 of a calendar year or every two calendar years, as applicable, a trainer, who was prevented from completing the required continuing education units due to a personal illness or an immediate family member's illness during at least six continuous months of the preceding 12 months, may request to defer continuing education units by submitting to the Department:
 1. A notification in a Department-provided format that contains:
 - a. The trainer's:
 - i. Name;
 - ii. Address;
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. A statement regarding the trainer's personal or immediate family member's illness;
 - c. The number of continuing education units the trainer is requesting to defer;
 - d. The date submitted; and
 - e. An attestation that the trainer affirms the information provided in the request to defer continuing education is true and accurate; and
 2. The hearing trainer's printed name and date of signature.
- F.** If a trainer completed any continuing education units during a calendar year in subsection (B) or every two calendar years in subsection (C), as applicable, report the completed continuing education units specified in R9-12-112(C)(2).
- G.** A trainer who defers continuing education units shall obtain the deferred continuing education during the first 180 calendar days of the subsequent calendar year.
- H.** A trainer called to active military service shall:
 1. Submit a written notice of renewal extension to the Department that includes:
 - a. The trainer's:
 - i. Name;
 - ii. Address;
 - iii. E-mail address, and

- iv. Telephone number;
- b. A statement stating the reason for the notice of renewal extension;
- e. The trainer's signature, including date of signature; and
- d. A copy of the trainer's deployment documentation;
- 2. Retain trainer certificate of completion for the term of service or deployment plus 180 calendar days;
- 3. Defer the requirement for completing the continuing education specified in R9-13-112 for the term of service or deployment plus 180 calendar days; and
- 4. Submit a renewal request according to R9-13-112 after the term of service or deployment plus 180 calendar days.

R9-13-113. Vision Trainer Eligibility

- A.** An individual is eligible to be a vision trainer if the individual meets at least one of the following:
- 1. Has completed at least 30 semester credits at an accredited college or university related to optometry and ophthalmology, or the equivalent credits from a college or university from outside the United States or its territories verified by a Department-approved third-party evaluation service;
 - 2. Has completed at least two years of employment in a position directly related to and providing assistance in the practice of optometry and ophthalmology;
 - 3. Is currently licensed in this state as an optometrist or ophthalmologist according to A.R.S. Title 32, Chapter 16; or
 - 4. Is currently a screener who has maintained a vision screener certificate of completion for the previous five years.
- B.** In addition to subsection (A), an individual who meets the requirement in:
- 1. Subsection (A)(1) or (2), has completed at least 100 vision screenings within the previous 12 months from the date of request specified in R9-13-114(C)(9).
 - 2. Subsection (A)(3), has completed at least 25 vision screenings within the previous 12 months from the date of request specified in R9-13-114(C)(9).
 - 3. Subsection (A)(4), has completed 1,000 vision screenings within the previous five years from the date of request specified in R9-13-114(C)(9).
- C.** Prior to the expiration date of a vision trainer certificate of completion, a vision trainer is eligible to renew a certificate of completion if the vision trainer demonstrates the vision trainer provided at least two vision screening trainings for each year during the five-year period that a certificate of completion is valid.
- D.** The practice of a vision trainer includes:
- 1. Providing classroom instruction specified in R9-13-112(B) in a classroom;
 - 2. Training individuals in vision screening skills, procedures, and techniques specified in R9-13-112(B);
 - 3. Observing and assessing individuals and screeners in the operations of vision equipment specified in R9-13-112(D);
 - 4. Administering to individuals a vision screening examination specified in R9-13-112(C);
 - 5. Entering an individual's or vision screener's information in the Department's vision screening database for issuance of a vision certificate of completion; and
 - 6. Providing, if available to the public, notice to the Department indicating what, where, and when classroom instruction, examination, or assessment of competency are scheduled to be provided to individuals to become a vision screener specified in R9-13-114(C)(8) or R9-13-115(C)(4).
- E.** A vision trainer who provides instruction to an applicant seeking a vision screener certificate of completion shall:
- 1. Ensure that:
 - a. The types of classroom instruction are consistent with R9-13-112(B);
 - b. An applicant has a passing score of 80% on an examination; and
 - c. An applicant demonstrates competency as described in R9-13-112(D).
 - 2. Establish a vision screening record in the Department's vision screening database for each individual seeking a vision certificate of completion as a screener that includes:
 - a. The individual's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. The date the vision certificate of completion expires;
 - c. The address where the classroom instructions, examination, and assessment were held;
 - d. If applicable, the name of a sponsoring organization, such as a school, school district, or other public agency; and
 - e. Documentation indicating when classroom instruction, examination, and assessment were provided.
- F.** A vision trainer who provides instruction to a vision screener who is seeking renewal of vision certificate of completion shall:
- 1. Ensure that:
 - a. The types of classroom instruction are consistent with R9-13-112(B);
 - b. An applicant has a passing score of 80% on an examination; and
 - c. An applicant demonstrates competency as described in R9-13-112(D).
 - 2. Update the vision screener's record in the Department's vision screening database for each screener seeking renewal of certificate of completion that includes:
 - a. The screener's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. The date the vision certificate of completion expires;

- c. The address where the classroom instructions, examination, and assessment were held;
- d. If applicable, the name of a sponsoring organization, such as a school, school district, or other public agency; and
- e. Documentation indicating when classroom instruction, examination, and assessment were provided.

G. A vision trainer shall:

- 1. Comply with A.R.S. § 36-899.10, and
- 2. Comply with this Article.

~~R9-13-114. Requesting a Change~~Repealed

~~A trainer requesting a change to personal information shall submit to the Department in a Department-provided format a written notice stating the information to be changed and indicating the new information within 30 calendar days after the effective date of the change.~~

R9-13-114. Vision Trainer Certificate of Completion Request

- A. An individual may apply for a vision trainer certificate of completion if the individual meets the eligibility requirements specified in R9-13-113(A) and (B).**
- B. An individual applying for a vision trainer certificate of completion shall submit a request to the Department at least 30 days prior to November 1 of a calendar year.**
- C. An individual shall provide a request for a vision trainer certificate of completion to the Department in a Department-provided format that includes:**
 - 1. The individual's:
 - a. Name,
 - b. Address,
 - c. E-mail address, and
 - d. Telephone number;
 - 2. If applicable, the individual's former names;
 - 3. If the individual has completed thirty semester credits specified in R9-13-113(A)(1), the:
 - a. Name of the accredited college or university attended,
 - b. Class title for each class completed, and
 - c. Number of semester credits for each class;
 - 4. If the individual has completed two years of employment specified in R9-13-113(A)(2), the:
 - a. Employer's name,
 - b. Individual's position and description of responsibilities, and
 - c. Months and years of employment;
 - 5. If the individual is a licensed optometrist or ophthalmologist specified in R9-13-113(A)(3), the:
 - a. Optometrist or ophthalmologist license number, and
 - b. Date of expiration;
 - 6. If the individual is a vision screener specified in R9-13-113(A)(4), who has maintained a vision screener certificate of completion for the previous five years, the:
 - a. Names of the school districts where the screener provided vision screenings, and
 - b. Screener's certification of completion date of expiration;
 - 7. Whether the individual completed the vision screenings specified in R9-13-113(B);
 - 8. An attestation that the individual affirms:
 - a. To provide, if available to the public, notice of vision screening instruction, examination, or assessment of competency specified in R9-13-113(D) to the Department 30 calendar days prior to providing to individuals to become a vision screener;
 - b. To provide information for each vision screening training specified in R9-13-113(C); and
 - c. The information provided in the request for certificate of completion is true and accurate; and
 - 9. The individual's printed name and date of signature.
- D. Within 10 calendar days from the date the Department receives an individual's request for a vision trainer certificate of completion, the Department shall send a notification to the individual that:**
 - 1. The individual may register to take classroom instruction and written examination, and
 - 2. How the individual may register.
- E. If the Department determines there is a need for additional vision trainers prior to the November 1 submission date in subsection (B), the Department shall provide:**
 - 1. A notice to the public that vision trainer certificate of completion requests will be accepted, and
 - 2. When an individual may submit a vision trainer certificate of completion request.
- F. If the Department determines not to accept any vision trainer certificate of completion requests in subsection (B), the Department shall provide:**
 - 1. A notice to the public that no vision trainer certificate of completion requests will be accepted, and
 - 2. The notice 30 days prior to the November 1 submission date in subsection (B).

~~R9-13-115. Requirement for Screener or Trainer Certificate of Completion Issued Before Article Effective Date~~Repealed

- A. ~~If a screener's certificate of completion expires before June 30, 2020, the screener whose certificate of completion includes pure tone audiometry or OAE and wishes to retain screener certificate of completion, shall complete training, examination, and assessment specified in R9-13-108 prior to the certificate's date of expiration.~~**
- B. ~~If a screener's certificate of completion expires after June 30, 2020, the screener whose certificate of completion includes pure tone audiometry or OAE and wishes to retain screener certificate of completion, shall complete training, examination, and assessment specified in R9-13-108 prior to June 30, 2020.~~**

- C.** A screener, whose certificate of completion includes both pure tone audiometry and OAE, shall renew current certificate of completion within 30 days prior to the expiration date of the certificate.
- D.** A trainer, who wishes to retain trainer certificate of completion and whose certificate of completion was issued before the effective date of this Article, shall submit a certificate of completion request specified in R9-13-110 no later than 30 days prior to November 2019.

R9-13-115. Vision Trainer Instruction, Examination, and Observation

- A.** An individual requesting to become a vision trainer shall complete required classroom instruction, written examination, and observation within 160 calendar days from the date provided in the Department's notification specified in R9-13-114(D).
- B.** An individual, who has received notification from the Department specified in R9-13-114(D), shall attend classroom instruction provided by the Department or designee that includes:
 - 1. Adult education learning strategies,
 - 2. Vision curriculum,
 - 3. Vision screening protocols,
 - 4. Vision equipment, and
 - 5. Examination.
- C.** An individual who completes classroom instruction and examination specified in subsection (B) shall:
 - 1. Pass an examination with a score of 80% or more;
 - 2. Obtain written confirmation from the Department or designee that indicates the individual's competency in the use of each type of vision equipment in subsection (B)(4);
 - 3. Submit to the Department, in a Department-provided format, a request to schedule vision screening training observation that includes:
 - a. The individual's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. The date the individual passed the written examination in subsection (C)(1); and
 - c. The date the individual is requesting the vision screening training observation; and
 - 4. Submit the request to take the vision screening training observation 30 calendar days prior to the individual's requested scheduled vision screening training observation in subsection (C)(3)(c).
- D.** Within 10 calendar days from the date the Department receives an individual's request to schedule a vision screening training observation, the Department shall send a notification to the individual that:
 - 1. The individual may register for vision screening training observation, and
 - 2. How the individual may register.
- E.** An individual who completes vision screening training observation in subsection (D) shall:
 - 1. Pass the vision screening training observation with a score of 80% or more; and
 - 2. Obtain a trainer certificate of completion from the Department or designee.
- F.** Within 10 calendar days from the date an individual passed the vision screening training observation with a score of 80% or more, the Department shall send the individual a trainer certificate of completion.
- G.** An individual, who does not score at least 80% on a written examination in subsection (D), may take a second written examination no later than 30 calendar days after having taken the first written examination.
- H.** If an individual does not score at least 80% on the second written examination, the individual shall repeat the classroom instruction in subsection (B) before taking a third written examination.
- I.** An individual who does not pass the written examination in subsection (H) shall not be issued a certificate of completion.
- J.** An individual, who does not pass a training observation in subsection (E), may take a second training observation no later than 60 calendar days after having taken the first training observation.
- K.** If an individual does not pass the second training observation, the individual shall repeat the classroom instruction in subsection (B) and written examination in subsection (C) before taking a third vision training observation.
- L.** An individual who does not pass the training observation in subsection (K) shall not be issued a vision certificate of completion.
- M.** If an individual does not complete the vision screening training observation within 160 calendar days in subsection (E), the individual shall reapply for a vision trainer certificate of completion as specified in R9-13-114.
- N.** By October 1 of each year, if the Department accepts requests specified in R9-13-114(B), the Department will provide a list of Department-approved core curriculum and applicable material related to classroom instruction in subsection (B).
- O.** An individual, who does not pass the examination or pass the vision training observation may file an appeal according to A.R.S. Title 41, Chapter 6, Article 10.

R9-13-116. Trainer Certificate of Completion Renewal

- A.** A trainer's certificate of completion expires five years from the issue date specified on the certificate of completion; and
- B.** Except as specified in R9-13-117(H), a trainer shall renew the trainer's certificate of completion every five years.
- C.** At least 60 calendar days before the expiration date of a certificate of completion, a trainer shall submit to the Department a renewal request in a Department-provided format that contains:
 - 1. The trainer's:
 - a. Name,
 - b. Address,
 - c. E-mail address, and
 - d. Telephone number;

2. For a hearing screening trainer, for each continuing education course specified in R9-13-117(B) and (C), the following:
 - a. The course title, separate
 - b. A course description,
 - c. The name of the individual providing the continuing education course,
 - d. The date the continuing education course was completed, and
 - e. The total number of continuing education hours attended;
 3. For each hearing screening or vision screening training specified in R9-13-109(C) or R9-13-113, the following:
 - a. Title of the classroom instruction, examination, or assessment provided, as applicable;
 - b. Date and location of the classroom instruction, examination, or assessment provided in subsection (a); and
 - c. Number of attendees;
 4. An attestation that the trainer affirms:
 - a. The continuing education courses specified in subsection (2) are applicable and consistent with the Department's approved continuing education courses;
 - b. To provide, if available to the public, notice of screening instruction, examination, or assessment of competency specified in R9-13-109(D) and R9-13-113(D) to the Department 30 calendar days prior to the trainer providing to individuals to become a screener; and
 - c. The information in the request for renewal is true and accurate; and
 5. The trainer's printed name and date of signature.
- D.** Within 10 calendar days from the date a trainer submits a renewal request, the Department shall send the trainer a certificate of completion.
- E.** Except as specified in R9-13-117, a trainer who does not submit a trainer renewal request according to this Section 60 calendar days prior to the expiration date of the trainer's certificate of completion, the trainer's certificate of completion expires.
- F.** Except as specified in R9-13-117, a trainer who does not complete required continuing education specified in subsection (C)(2) shall apply for a trainer certificate of completion specified in R9-13-110 and R9-13-111.

R9-13-117. Hearing Trainer Continuing Education

- A.** By January 1 of each calendar year, the Department shall provide a list of Department-approved continuing education courses.
- B.** Each calendar year, a hearing trainer, who is not an audiologist, shall complete 10 continuing education units approved by the Department.
- C.** Every two calendar years, a hearing trainer, who is an audiologist, shall complete 20 continuing education units approved by the Department.
- D.** A hearing trainer shall report continuing education units completed in subsection (B) and (C) as required in a hearing trainer renewal request specified in R9-13-116(C).
- E.** By November 1 of a calendar year or every two calendar years, as applicable, a trainer, who was prevented from completing the required continuing education units due to a personal illness or an immediate family member's illness during at least six continuous months of the preceding 12 months, may request to defer continuing education units by submitting to the Department:
1. A notification in a Department-provided format that contains:
 - a. The trainer's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. A statement regarding the trainer's personal or immediate family member's illness;
 - c. The number of continuing education units the trainer is requesting to defer;
 - d. The date submitted; and
 - e. An attestation that the trainer affirms the information provided in the request to defer continuing education is true and accurate; and
 2. The hearing trainer's printed name and date of signature.
- F.** If a hearing trainer completed any continuing education units during a calendar year in subsection (B) or every two calendar years in subsection (C), as applicable, report the completed continuing education units specified in R9-13-116(C).
- G.** A hearing trainer who defers continuing education units shall obtain the deferred continuing education during the first 180 calendar days of the subsequent calendar year.
- H.** A hearing trainer called to active military service shall:
1. Submit a written notice of renewal extension to the Department that includes:
 - a. The hearing trainer's:
 - i. Name,
 - ii. Address,
 - iii. E-mail address, and
 - iv. Telephone number;
 - b. A statement stating the reason for the notice of renewal extension;
 - c. The hearing trainer's signature, including date of signature; and
 - d. A copy of the trainer's deployment documentation;
 2. Retain trainer certificate of completion for the term of service or deployment plus 180 calendar days;
 3. Defer the requirement for completing the continuing education specified in R9-13-116 for the term of service or deployment plus 180 calendar days; and

4. Submit a renewal request according to R9-13-116 after the term of service or deployment plus 180 calendar days.

R9-13-118. Trainer Requesting a Change

A trainer requesting a change to personal information shall submit to the Department in a Department-provided format a written notice stating the information to be changed and indicating the new information within 30 calendar days after the effective date of the change.

R9-13-119. Requirement for Screener or Trainer Certificate of Completion

- A.** If a screener's hearing certificate of completion expires before June 30, 2020, the screener whose hearing certificate of completion includes pure tone audiometry or OAE and wishes to retain screener hearing certificate of completion, shall complete hearing training, examination, and assessment specified in R9-13-108 prior to the hearing certificate's date of expiration.
- B.** If a screener's hearing certificate of completion expires after June 30, 2020, the screener whose hearing certificate of completion includes pure tone audiometry or OAE and wishes to retain screener hearing certificate of completion, shall complete hearing training, examination, and assessment specified in R9-13-108 prior to June 30, 2020.
- C.** A screener, whose hearing certificate of completion includes both pure tone audiometry and OAE, shall renew current hearing certificate of completion within 30 days prior to the expiration date of the certificate.
- D.** A trainer, who wishes to retain trainer hearing certificate of completion and whose hearing certificate of completion was issued before the effective date of this Article, shall submit a hearing certificate of completion request specified in R9-13-110 no later than 30 days prior to November 2019.
- E.** A vision screener or vision trainer whose certificate of completion issued by the Department and if issued:
 - 1.** Prior to January 1, 2018, shall renew the certificate of completion by June 30, 2024; or
 - 2.** Between January 1, 2018 and 30 days after the effective date of the rulemaking, shall renew the certificate of completion within four years from the issue date specified on the certificate of completion.
- F.** A vision screener is not required to retrain as specified in A.R.S. § 36-899.10, if the vision screener holds a vision screening certificate of completion issued by an organization other than the Department or another Department approved method prior to August 27, 2019.



NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Supplemental Proposed Rulemaking. After an agency has filed a Notice of Proposed Rulemaking and it is published in the *Register*, an agency may decide to make substantial changes to the rule after it is proposed.

The agency prepares a Notice of Supplemental Proposed Rulemaking with these proposed changes. When filed, the notice is published under the deadline schedule in the back of the *Register*.

The Notice of Supplemental Proposed Rulemaking shall be published in the *Register* before holding any oral proceedings (A.R.S. § 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #11 for the close of record and information related to public hearings and oral comments.

NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) ADMINISTRATION

[R22-185]

PREAMBLE

- Citations to the agency's Notice of Rulemaking Docket Opening, the Notice of Proposed Rulemaking, and any other Notices of Supplemental Proposed Rulemaking (if applicable) as published in the Register as specified in R1-1-409(A). A list of any other related notices published in the Register as specified in R1-1-409(A):**

Notice of Rulemaking Docket Opening: 28 A.A.R. 1232, June 3, 2022

Notice of Proposed Rulemaking: 28 A.A.R. 1200, June 3, 2022

- Article, Part, or Section Affected (as applicable)**
R9-22-712.63

Rulemaking Action
Amend

- Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 36-2903.01(A)

Implementing statute: A.R.S. § 36-2903.01(G)(12)

- The agency's contact person who can answer questions about the rulemaking:**

Name: Nicole Fries

Address: AHCCCS
Office of Administrative Legal Services
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034

Telephone: (602) 417-4232

Fax: (602) 253-9115

Email: AHCCCSRules@azahcccs.gov

Website: www.azahcccs.gov

- An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

All Patient Refined Diagnosis Related Groups (APR-DRG) payment methodology is the primary reimbursement method for AHCCCS hospital inpatient care services. AHCCCS transitioned to the APR-DRG payment methodology beginning October 1, 2014 from the previous tiered per diem rates. AHCCCS updated the model starting January 1, 2018 and again beginning October 1, 2021. A.R.S. § 36-2905.02 provides two available options to enhance rural hospital reimbursement with existing appropriated monies. AHCCCS has the authority to implement a supplemental payment methodology or may adjust rates established pursuant to section A.R.S. § 36-2903.01, subsection G. AHCCCS is proposing to create a unique base payment amount for rural hospitals that currently qualify for payments under A.R.S. § 36-2905.02. Due to Centers for Medicare & Medicaid Services (CMS) restrictions, this additional base payment amount will ensure AHCCCS has the flexibility to continue to provide funding to rural hospitals. AHCCCS has updated the language to ensure that the transition from the current payment methodology to the APR-DRG payment methodology has minimal impact to the existing allocation of funds.

- A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

A study was not referenced or relied upon when revising these regulations.

- An explanation of the substantial change which resulted in the supplemental notice:**

Through the public comment process, AHCCCS has determined that additional modifiers were needed in R9-22-712.63 for the

methodology to achieve its intended purpose. With this rulemaking, a modification will be made to Section R9-22-712.63 to create a rural hospital DRG base rate hospital class. The proposed rulemaking will ensure alignment with previously funded Rural Hospital Inpatient Fund payments within the APR-DRG payment methodology.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. The preliminary summary of the economic, small business, and consumer impact:

The Administration anticipates that the DRG rulemaking will ensure that current supplemental payments made to rural hospitals may continue as part of the DRG payment methodology. With this change, 12.1 million dollars will continue to be provided to critical hospitals in non-urban settings.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Nicole Fries
 Address: AHCCCS
 Office of Administrative Legal Services
 801 E. Jefferson, Mail Drop 6200
 Phoenix, AZ 85034
 Telephone: (602) 417-4232
 Fax: (602) 253-9115
 Email: AHCCCSRules@azahcccs.gov
 Website: www.azahcccs.gov

11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Proposed rule language will be available on the AHCCCS website. Please send comments to the above address by the close of the comment period, 5:00 p.m., October 3, 2022.

Date: October 3, 2022
 Time: 2:00 p.m.
 Location: <https://meet.google.com/qmb-gjyg-zty>
 Nature: Public Hearing

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

No other matters have been prescribed.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Not applicable

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

14. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

**CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
 ADMINISTRATION**

ARTICLE 7. STANDARDS FOR PAYMENTS

Section

R9-22-712.63. DRG Base Payments Not Based on the Statewide Standardized Amount

ARTICLE 7. STANDARDS FOR PAYMENTS

R9-22-712.63. DRG Base Payments Not Based on the Statewide Standardized Amount

- A. Notwithstanding Section R9-22-712.62, a select specialty hospital standardized amount shall be used in place of the statewide standardized amount in subsection R9-22-712.62(B) to calculate the DRG base rate for the following hospitals:



1. Hospitals located in a city with a population greater than one million, which on average have at least 15 percent of inpatient days for patients who reside outside of Arizona, and at least 50 percent of discharges as reported on the 2011 Medicare Cost Report are reimbursed by Medicare.
 2. Hospitals designated as type: hospital, subtype: short term that has a license number beginning "SH" in the Provider & Facility Database for Arizona Medical Facilities posted by the ADHS Division of Licensing Services on its website for March of each year.
- B.** The select specialty hospital standardized amount is included in the AHCCCS capped fee schedule available on the agency's website.
- C.** Notwithstanding Section R9-22-712.62, a rural hospital standardized amount shall be used in place of the statewide standardized amount in subsection R9-22-712.62(B) to calculate the DRG base rate for the following hospitals:
1. A health care institution that is licensed as an acute care hospital, that has one hundred or fewer beds, and that is located in a county with a population of less than five hundred thousand persons; or
 2. A health care institution that is licensed as a critical access hospital.
- D.** The rural hospital standardized amount is included in the AHCCCS capped fee schedule available on the agency's website.
- E.** Notwithstanding Section R9-22-712.62 and R9-22-712.63(B), a hospital standardized amount shall be used in place of the statewide standardized amount in subsection R9-22-712.62(B) or R9-22-712.63(B) to calculate the DRG base rate for a health care institution that is licensed as an acute care hospital, that has one hundred or fewer beds, that is located in a county with a population of less than five hundred thousand persons and has greater than twenty percent of Medicaid inpatient reimbursement with a primary diagnosis of behavioral health in the prior federal fiscal year as of April 30th.
- F.** The hospital standardized amount is included in the AHCCCS capped fee schedule available on the agency's website.
- G.** Notwithstanding Section R9-22-712.62 and R9-22-712.63(B), a hospital standardized amount shall be used in place of the statewide standardized amount in subsection R9-22-712.62(B) or R9-22-712.63(B) to calculate the DRG base rate for a health care institution with two separate ADHS acute care hospital licenses, with one facility that has one hundred or fewer beds, that is located in a county with a population of less than five hundred thousand persons and has one single AHCCCS registration for both licenses.
- H.** The hospital standardized amount is included in the AHCCCS capped fee schedule available on the agency's website.

NOTICES OF FINAL EXPEDITED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Final Expedited Rulemaking. An agency prepares these notices under A.R.S. § 41-1013(9).

Expedited rulemaking is an accelerated rulemaking process that does not increase the cost of regulatory compliance, or increase a fee, or reduce procedural rights of persons regulated. Other requirements to conduct expedited rulemaking are listed under A.R.S. § 41-1027.

Under the law, an agency is required to file a Notice of Proposed Expedited Rulemaking for review. The notices in

this section include *Register* publication dates where the Notices of Proposed Expedited Rulemaking were published.

The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of expedited rules should be addressed to the agency promulgating the rules.

Refer to item 4 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXPEDITED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 7. DEPARTMENT OF ADMINISTRATION STATE PROCUREMENT OFFICE

[R22-186]

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|--|--------------------------|
| R2-7-101 | Amend |
| R2-7-B306 | Amend |
| R2-7-B307 | Amend |
| R2-7-C302 | Amend |
| R2-7-C306 | Amend |
| R2-7-C307 | Amend |
| R2-7-C315 | Amend |
| R2-7-501 | Repeal |
| R2-7-505 | Amend |
| R2-7-511 | Amend |
| R2-7-B901 | Amend |
| R2-7-B902 | Amend |
| R2-7-B903 | Amend |
- 2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. §§ 41-703(6), 41-2511, and 41-2514
 Implementing statute: A.R.S. §§ 41-2501 through 41-2673
- 3. The effective date of the rule:**
 August 12, 2022
- a. If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**
 Not applicable
- b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**
 Not applicable
- 4. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:**
 Notice of Proposed Expedited Rulemaking: 28 A.A.R. 693, April 1, 2022
 Notice of Rulemaking Docket Opening: 28 A.A.R. 701, April 1, 2022
- 5. The agency's contact person who can answer questions about the rulemaking:**
 Name: Jessica Klein, Compliance Deputy Assistant Director
 Address: Department of Administration
 State Procurement Office
 100 N. 15th Ave., Suite 305
 Phoenix, AZ 85007

Telephone: (602) 350-0339

Email: Jessica.Klein@azdoa.gov or SPOCompliance@azdoa.gov

6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The State Procurement Office (SPO) of the Arizona Department of Administration (ADOA) seeks expedited rulemaking under A.R.S. § 41-1027(7). The rules that govern procurement are in Arizona Administrative Code (A.A.C.) Title 2, Chapter 7. The Department conducted its five-year review of rules for the year 2020, completed in 2021. After receiving an exception from the rulemaking moratorium pursuant to Executive Order 2020-02 in November 2021, the Department would like approval to modify or remove the aforementioned rules to address the concerns discovered during the five-year rule review process. The changes to the Arizona Procurement Code (APC) requested in this process would not increase the cost of regulatory compliance, increase a fee, or reduce procedural rights of persons regulated. Instead, the requested changes would reduce burdens to statewide procurement procedures due to outdated requirements without compromising quality. Furthermore, rule changes are proposed to improve processes and increase efficiency and transparency in public procurement.

A number of the current rules are outdated, because they reference a procurement process that relies on bids and offers sent in the mail. Modification of these rules would clarify that the procurement processes should be performed, whenever possible, through the State's electronic procurement system (eProcurement system), which has been the State's process for over a decade. These revisions are to the definitions section of the APC to include the term "eProcurement" (A.A.C. R2-7-101), the bid and offer opening process to clarify that bids and offers may be opened electronically (A.A.C. R2-7-B306 and R2-7-C306), and in the sections regarding late bids and offers to add language to make clear that potential suppliers should allow themselves sufficient time to properly file their bids and offers, so they are not excluded as late. (A.A.C. R2-7-B307 and R2-7-C307).

ADOA has also identified areas of the APC which should be revised to remove extra steps from the procurement process and to modernize construction procurement. The proposed revision to A.A.C. R2-7-C315 would remove a barrier to the use of second best-and-final offer in solicitation negotiations. Within the construction procurement rules, General Services Division (GSD) of ADOA has identified one rule which may be removed as it adds no value or guidance to the APC (A.A.C. R2-7-501). Another rule has an extraneous clause which may be removed, as it references non-existent spending limits (A.A.C. R2-7-505). GSD would also like to modify a rule to allow for increased use of job-order contracting (JOC) consistent with current best practices in construction contracting (A.A.C. R2-7-511).

The last set of changes are updates to the contract claims process to reduce litigation. One amendment would clarify that the 180-day limit is a statute of limitations for claims (A.A.C. R2-7-B901). The other changes would confirm that agencies should attempt to negotiate with suppliers prior to litigating a claim, with flexible timetables for completing negotiations that formally incorporate the available informal settlement process into the timeline prior to litigation (A.A.C. R2-7-B902).

The last proposed modifications would be a simple change to make the rules consistent (A.A.C. R2-7-B903) and one to correct an existing typographical error in a citation in the rule (A.A.C. R2-7-C302).

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review or rely on any study for this rulemaking.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact:

Under A.R.S. § 41-1055(D)(2), the Department is not required to provide an economic, small business, and consumer impact statement.

10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

A clerical error was discovered in the Notice of Final Expedited Rulemaking with regard to Section R2-7-101(10). A reference in this rule to another section of the rule will become inaccurate after the sections are renumbered due to this rulemaking. This has since been corrected.

An additional non-substantive change between the Notice of Proposed Expedited Rulemaking and Notice of Final Expedited Rulemaking was made when the latter was reviewed internally to rephrase Section R2-7-B902(A)-(B) to be more concise regarding claim resolution.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

There were three written comments received prior to the oral proceeding regarding the proposed expedited rulemaking revisions for Title 2, Chapter 7. The comments only included agreement with the proposed changes. An oral proceeding was held on April 14, 2022, which was also recorded and posted on the ADOA SPO website. There were no oral comments during the proceeding or additional written comments received. The record closed at 5:00 p.m. on May 2, 2022.

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

No other matters prescribed by statute are applicable to the Department or to any specific rule or class of rules.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general

permit is not used:

The rule does not require the issuance of a regulatory permit. Therefore, a general permit is not applicable.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Federal laws do not apply to the rules.

c. Whether a person submitted an analysis to the agency that compares the rule's impact on the competitiveness of business in this state to the impact on business in other states:

No such analysis was submitted.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:

No reference material is incorporated by reference.

14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

Not applicable

15. The full text of the rule follows:

**TITLE 2. ADMINISTRATION
CHAPTER 7. DEPARTMENT OF ADMINISTRATION
STATE PROCUREMENT OFFICE**

ARTICLE 1. GENERAL PROVISIONS

Section
R2-7-101. Definitions

ARTICLE 3. SOURCE SELECTION AND CONTRACT FORMATION

PART B. COMPETITIVE SEALED BIDDING

Section
R2-7-B306. Receipt, Opening, and Recording of Offers
R2-7-B307. Late Offers, Modifications, Withdrawals

PART C. COMPETITIVE SEALED PROPOSALS

Section
R2-7-C302. Pre-offer Conferences
R2-7-C306. Receipt, Opening, and Recording of Offers
R2-7-C307. Late Offers, Modifications, and Withdrawals Before Offer Due Date and Time
R2-7-C315. Offer Revisions and Best and Final Offers

ARTICLE 5. PROCUREMENT OF CONSTRUCTION AND SPECIFIC PROFESSIONAL SERVICES

Section
R2-7-501. ~~Procurement of Specified Professional and Construction Services~~ Repealed
R2-7-505. Selection Committee
R2-7-511. Individual Job Order Contracting

ARTICLE 9. LEGAL AND CONTRACTUAL REMEDIES

PART B. CONTRACT CLAIMS

Section
R2-7-B901. Controversies Involving Contract Claims Against the State
R2-7-B902. Agency Chief Procurement Officer's Decision
R2-7-B903. Issuance of a Timely Decision

ARTICLE 1. GENERAL PROVISIONS

R2-7-101. Definitions

In this Chapter, unless the context otherwise requires:

1. "Affiliate" means any person whose governing instruments require it to be bound by the decision of another person or whose governing board includes enough voting representatives of the other person to cause or prevent action, whether or not the power is exercised. The term applies to persons doing business under a variety of names, persons in a parent-subsidiary relationship, or persons that are similarly affiliated.
2. "Agency chief procurement officer" means the procurement officer within a state governmental unit, who is acting under specific, written authority from the state procurement administrator in accordance with R2-7-202 or any person delegated that authority, in writing, under R2-7-203. The term does not include any other person within a state governmental unit who does not have this written delegation of authority.

3. “Aggregate dollar amount” means purchase price, including taxes and delivery charges, for the term of the contract and accounting for all allowable extensions and options.
4. “Alternate project delivery methods” means design-build, construction-management-at-risk, and job-order-contracting construction services.
5. “Arizona Procurement Code” means A.R.S. Title 41, Chapter 23 and this Chapter.
6. “Arizona state contract” means a contract established or authorized by the state procurement administrator for use by state governmental units and eligible procurement units.
7. “Award” means a determination by the state that it is entering into a contract with one or more offerors.
8. “Best and Final Offer” means a revision to an offer submitted after negotiations are completed that contain the offeror’s most favorable terms for price, service, and products to be delivered.
9. “Bid” means an offer in response to solicitation.
10. “Bidder” means “offeror” as defined in R2-7-101~~(34)~~(35).
11. “Brand name or equivalent specification” means a written description that uses one or more manufacturers’ product name or catalog item, to describe the standard of quality, performance, and other characteristics that meet state requirements and provides for submission of equivalent products or services.
12. “Brand name specification” means a written description limited to a list of one or more items by manufacturers’ product name or catalog item to describe the standard of quality, performance, and other characteristics that meet state requirements.
13. “Clergy” includes the same persons described in A.R.S. § 32-3271(A)(3).
14. “Component” means a part of a manufactured product.
15. “Contract amendment” means a written modification of a contract under A.R.S. § 41-2503(8) or a unilateral exercise of a right contained in the contract.
16. “Cost data” means information concerning the actual or estimated cost of labor, material, overhead, and other cost elements that have been incurred or will be incurred by the offeror or contractor in performing the contract.
17. “Cost-plus-a-percentage-of-cost contract” means the parties to a contract agree that the fee will be a predetermined percentage of the cost of work performed and the contract does not limit the cost and fee before authorization of performance.
18. “Day” means a calendar day and time is computed under A.R.S. § 1-243, unless otherwise specified in the solicitation or contract.
19. “Debarment” means an action taken by the director under R2-7-C901 that prohibits a person from participating in the state procurement process.
20. “Defective data” means data that is inaccurate, incomplete, or outdated.
21. “Dentist” means a person licensed under A.R.S. Title 32, Chapter 11.
22. “Descriptive literature” means information available in the ordinary course of business that shows the characteristics, construction, or operation of an item or service offered.
23. “Eligible procurement unit” means a local public procurement unit, any other state or agency of the United States, or a nonprofit educational or public health institution, including any certified non-profit agency that serves individuals with disabilities as defined in A.R.S. § 41-2636, that is eligible under a cooperative agreement to use Arizona state contracts.
24. “eProcurement System” means the State’s official electronic procurement system as authorized by the state procurement administrator under R2-7-201.
- ~~24-25.~~ “Filed” means delivery to an agency chief procurement officer or to the director, whichever is applicable, in a manner specified by the Arizona Procurement Code or a solicitation.
- ~~25-26.~~ “Finished goods” means units of a manufactured product awaiting sale.
- ~~26-27.~~ “Force account” as used in A.R.S. § 41-2572, means work performed by the state’s regularly employed personnel.
- ~~27-28.~~ “Governing instruments” means legal documents that establish the existence of an organization and define its powers, including articles of incorporation or association, constitution, charter, by-laws, or similar documents.
- ~~28-29.~~ “In writing” has the same meaning as “written” or “writing” in A.R.S. § 47-1201, which includes printing, typewriting, electronic transmission, facsimile, or any other intentional reduction to tangible form.
- ~~29-30.~~ “Interested party” means an offeror or prospective offeror whose economic interest is affected substantially and directly by issuance of a solicitation, an award or loss of an award. Whether an offeror or prospective offeror has an economic interest depends upon the circumstances of each case.
- ~~30-31.~~ “Legal counsel” means a person licensed as an attorney by the Arizona Supreme Court.
- ~~31-32.~~ “May” means something is permissive.
- ~~32-33.~~ “Negotiation” means an exchange or series of exchanges between the state and an offeror or contractor that allows the state or the offeror or contractor to revise an offer or contract, unless revision is specifically prohibited by this Chapter.
- ~~33-34.~~ “Offer” means a response to a solicitation.
- ~~34-35.~~ “Offeror” means a person who responds to a solicitation.
- ~~35-36.~~ “Physician” means a person licensed under A.R.S. Title 32, Chapters 7, 8, 13, 14, 15.1, 16, or 17.
- ~~36-37.~~ “Price data” means information concerning prices, including profit, for materials, services, or construction substantially similar to the materials, services, or construction to be procured under a contract or subcontract. In this definition, “prices” refers to offered selling prices, historical selling prices, or current selling prices of the items to be purchased.

~~37-38.~~ “Procurement file” means the official records file of the director whether located in the office of the director, ~~or at a public procurement unit, or in the eProcurement System.~~ The procurement file shall include (electronic or paper) the following:

- a. List of notified vendors,
- b. Final solicitation,
- c. Solicitation amendments,
- d. Bids and offers,
- e. Offer revisions and best and final offers,
- f. Discussions,
- g. Clarifications,
- h. Final evaluation reports, and
- i. Additional information, if requested by the agency chief procurement officer and approved by the state procurement administrator.

~~38-39.~~ “Procurement request” means the document that initiates a procurement.

~~39-40.~~ “Proposal” means an offer submitted in response to a solicitation.

~~40-41.~~ “Prospective offeror” means a person that expresses an interest in a specific solicitation.

~~41-42.~~ “Raw materials” means goods, excluding equipment and machinery, purchased for use in manufacturing a product.

~~42-43.~~ “Reverse auction” means a procurement method in which offerors are invited to bid on specified goods or services through online bidding and real-time electronic bidding. During an electronic bidding process, offerors’ prices or relative ranking are available to competing offerors and offerors may modify their offer prices until the closing date and time.

~~43-44.~~ “Shall” means something is mandatory.

~~44-45.~~ “Small business” means a for-profit or not-for-profit organization, including its affiliates, with fewer than 100 full-time employees or gross annual receipts of less than \$4 million for the last complete fiscal year.

~~45-46.~~ “Solicitation” means an invitation for bids, a request for technical offers, a request for proposals, a request for quotations, or any other invitation or request issued by the purchasing agency to invite a person to submit an offer.

~~46-47.~~ “Source selection method” means a process that is approved by an agency chief procurement officer and used to select a person to enter into a contract for procurement.

~~47-48.~~ “State procurement administrator” means the individual appointed by the director as a chief procurement officer for the state, or a state procurement administrator’s authorized designee. A different title may be used for this position.

~~48-49.~~ “State procurement office” means an office that acts under the authority delegated to the state procurement administrator.

~~49-50.~~ “Suspension” means an action taken by the director under R2-7-C901 that temporarily disqualifies a person from participating in a state procurement process.

~~50-51.~~ “Trade secret” means information, including a formula, pattern, device, compilation, program, method, technique, or process, that is the subject of reasonable efforts to maintain its secrecy and that derives independent economic value, actual or potential, as a result of not being generally known to and not being readily ascertainable by legal means.

ARTICLE 3. SOURCE SELECTION AND CONTRACT FORMATION

PART B. COMPETITIVE SEALED BIDDING

R2-7-B306. Receipt, Opening, and Recording of Offers

- A. An agency chief procurement officer shall maintain a record of offers received for each solicitation and shall record the time and date when an offer is received. The agency chief procurement officer shall store each unopened offer in a secure place until the offer due date and time. When practical, an agency chief procurement officer should use the eProcurement system for this process.
- B. A purchasing agency may open an offer to identify the offeror. If this occurs, the agency chief procurement officer shall record the reason for opening the offer, the date and time the offer was opened, and the solicitation number. The agency chief procurement officer shall secure the offer and retain it for public opening.
- C. The agency chief procurement officer shall open offers after the offer due date and time. The agency chief procurement officer shall record the name of each offeror, the amount of each offer, and any other relevant information as determined by the agency chief procurement officer. The agency chief procurement officer shall make the record of offers available for public viewing.
- D. Except for the information identified in subsection (C), the agency chief procurement officer shall ensure that information contained in the offer remains confidential until contract award and is shown only to those persons assisting in the evaluation process.

R2-7-B307. Late Offers, Modifications, Withdrawals

- A. If an offer, modification, or withdrawal is received after the due date and time, at the location designated in the solicitation (which may be the eProcurement system), an agency chief procurement officer shall determine the offer, modification, or withdrawal as late. If the eProcurement system is the designated location for the offer, modification, or withdrawal, prospective offerors are responsible for allowing sufficient time to ensure that their submission is properly filed in the eProcurement system by the appropriate due date and time.
- B. The agency chief procurement officer shall reject a late offer, modification, or withdrawal unless:
 1. The document is received before the contract award at the location designated in the solicitation; and
 2. The document would have been received by the offer due date and time, but for the action or inaction of personnel directly serving the purchasing agency.
- C. Upon receiving a late offer, modification, or withdrawal, the agency chief procurement officer shall:
 1. If the document is hand delivered, refuse to accept delivery; or

2. If the document is not hand delivered, record the time and date of receipt and promptly send written notice of late receipt to the offeror. The agency chief procurement officer may discard the document within 30 days after the date on the notice unless the offeror requests the document be returned.
- D. The agency chief procurement officer shall document a refusal under subsection (C)(1) and place the document or a copy of the notice required in subsection (C)(2) in the procurement file.

PART C. COMPETITIVE SEALED PROPOSALS

R2-7-C302. Pre-offer Conferences

An agency chief procurement officer may conduct one or more pre-offer conferences within a reasonable time before offer due date and time to discuss the procurement requirements and solicit comments from prospective offerors. Amendments to the solicitation may be issued, if necessary, in accordance with ~~R2-7-B303~~ R2-7-C303.

R2-7-C306. Receipt, Opening, and Recording of Offers

- A. An agency chief procurement officer shall maintain a record of offers received for each solicitation and shall record the time and date when an offer is received. The agency chief procurement officer shall store each unopened offer in a secure place until the offer due date and time. When practical, an agency chief procurement officer should use the eProcurement system for this process.
- B. A purchasing agency may open an offer to identify the offeror. If this occurs, the agency chief procurement officer shall record the reason for opening the offer, the date and time the offer was opened, and the solicitation number. The agency chief procurement officer shall secure the offer and retain it for public opening.
- C. The agency chief procurement officer shall open offers after the offer due date and time. The agency chief procurement officer shall record the name of each offeror and any other relevant information as determined by the agency chief procurement officer. The agency chief procurement officer shall make the record of offers available for public viewing.
- D. Except for the information identified in subsection (C), the agency chief procurement officer shall ensure that information contained in the offer remains confidential until contract award and is shown only to those persons assisting in the evaluation process.

R2-7-C307. Late Offers, Modifications, and Withdrawals Before Offer Due Date and Time

- A. If an offer, modification, or withdrawal is not received by the offer due date and time, at the location designated in the solicitation (which may be the eProcurement system), an agency chief procurement officer shall determine the offer, modification, or withdrawal as late. If the eProcurement system is the designated location for the offer, modification, or withdrawal, prospective offerors are responsible for allowing sufficient time to ensure that their submission is properly filed in the eProcurement system by the appropriate due date and time. This rule does not apply to revision or withdrawal of offers as described in R2-7-C314.
- B. The agency chief procurement officer shall reject a late offer, modification, or withdrawal unless:
 1. The document is received before contract award at the location designated in the solicitation; and
 2. The document would have been received by the offer due date and time, but for the action or inaction of personnel directly serving the purchasing agency.
- C. Upon receiving a late offer, modification, or withdrawal, the agency chief procurement officer shall:
 1. If the document is hand delivered, refuse to accept the delivery; or
 2. If the document is not hand delivered, record the time and date of receipt and promptly send written notice of late receipt to the offeror. The agency chief procurement officer may discard the document within 30 days after the date on the notice unless the offeror requests the document be returned.
- D. The agency chief procurement officer shall document a refusal under (C)(1) and place the document or a copy of the notice required in (C)(2) in the procurement file.

R2-7-C315. Offer Revisions and Best and Final Offers

- A. An agency chief procurement officer may request one or more written revisions to an offer. The agency chief procurement officer shall include in the written request:
 1. The date, time, and place for submission of offer revisions; and
 2. statement that if offerors do not submit a written notice of withdrawal or a written offer revision, their immediate previous written offer will be accepted as their final offer.
- B. An agency chief procurement officer shall request best and final offers from any offeror with whom negotiations have been conducted. The agency chief procurement officer shall include in the written request:
 1. The date, time, and place for submission of best and final offer; and
 2. A statement that if offerors do not submit a written best and final offer, their immediate previous written offer will be accepted as their best and final offer.
- C. ~~The agency chief procurement officer shall request written best and final offers only once, unless the state procurement administrator makes a written determination that it is advantageous to the state to conduct further negotiations or change the state's requirements.~~
- ~~D.~~ If an apparent mistake, relevant to the award determination, is discovered after opening of best and final offers, the agency chief procurement officer shall contact the offeror for written confirmation. The agency chief procurement officer shall designate a time-frame within which the offeror shall either:
 1. Confirm that no mistake was made and assert that the offer stands as submitted; or
 2. Acknowledge that a mistake was made, and include the following in a written response:
 - a. Explanation of the mistake and any other relevant information,
 - b. A request for correction including the corrected offer or a request for withdrawal, and
 - c. The reasons why correction or withdrawal is consistent with fair competition and in the best interest of the state.
- ~~E.D.~~ An offeror who discovers a mistake in their best and final offer may request withdrawal or correction in writing, and shall include the following in the written request:
 1. Explanation of the mistake and any other relevant information,

2. A request for correction including the corrected offer or a request for withdrawal, and
3. The reasons why correction or withdrawal is consistent with fair competition and in the best interest of the state.

F.E. In response to a request made under subsections (C) or (D), the agency chief procurement officer shall make a written determination of whether correction or withdrawal will be allowed based on whether the action is consistent with fair competition and in the best interest of the state. If an offeror does not provide written confirmation of the best and final offer, the agency chief procurement officer shall make a written determination that the most recent written best and final offer submitted is the final best and final offer.

ARTICLE 5. PROCUREMENT OF CONSTRUCTION AND SPECIFIC PROFESSIONAL SERVICES

R2-7-501. Procurement of Specified Professional and Construction Services Repealed

- A.** ~~The agency chief procurement officer shall procure specified professional services as defined in A.R.S. § 41-2578, 41-2579 and 41-2581 in the following manner:~~
- ~~1. Through existing state contracts if available;~~
 - ~~2. In accordance with A.R.S. § 41-2535 and Part D of Article 3 of this Chapter or A.R.S. § 41-2533 procurements not to exceed the amount prescribed in A.R.S. § 41-2535;~~
 - ~~3. May procure services in accordance with A.R.S. §§ 41-2536, 41-2537, or 41-2581.~~
- B.** ~~Unless an alternate project delivery method is used as permitted under R2-7-503, the agency chief procurement officer shall procure construction in the following manner:~~
- ~~1. Through existing state contracts if available;~~
 - ~~2. In accordance with A.R.S. § 41-2535 and Part D of Article 3 of this Chapter or A.R.S. § 41-2533 for single award procurements not to exceed the amount prescribed in A.R.S. § 41-2535 or 41-2579 for multiple award procurements;~~
 - ~~3. In accordance with A.R.S. § 41-2533 for procurements estimated to exceed the amount prescribed in A.R.S. § 41-2535; or~~
 - ~~4. May procure construction in accordance with A.R.S. § 41-2536 or 41-2581.~~
- C.** ~~The agency chief procurement officer shall procure construction through an alternate project delivery method in the following manner:~~
- ~~1. Through existing state contracts if available;~~
 - ~~2. In accordance with A.R.S. § 41-2535 and Part D of Article 3 of this Chapter or A.R.S. § 41-2578 for procurements not estimated to exceed the amount prescribed in A.R.S. § 41-2535;~~
 - ~~3. May procure construction in accordance with A.R.S. § 41-2536, 41-2537, or 41-2581.~~

R2-7-505. Selection Committee

- A.** The agency chief procurement officer shall appoint a selection committee when required under A.R.S. §§ 41-2578, 41-2579, or 41-2581.
- B.** For the procurement of specified professional services not estimated to exceed the amount prescribed in A.R.S. § 41-2581, the selection committee shall meet the requirements of A.R.S. § 41-2578(C)(1) and shall consist of three to five members who are appropriately qualified including the agency chief procurement officer as chair.
- C.** ~~For the procurement of specified professional services estimated to exceed the amount prescribed in A.R.S. § 41-2578, 41-2579, or 41-2581.~~

R2-7-511. Individual Job Order Contracting

- A.** The state procurement administrator may award or authorize an agency chief procurement officer to award job order contracts for job orders estimated to cost \$1,000,000 or less construction, construction services or professional services to a single contractor or multiple contractors.
- B.** An agency chief procurement officer may use job order contracting for individual job orders estimated to cost \$250,000 or less, provided that: Contracts shall be awarded based on scoring of technical proposals, followed by scoring of price proposals.
- ~~1. The agency chief procurement officer obtains a cost estimate for the job order, before obtaining a cost proposal from the job order contractor; and~~
 - ~~2. The agency chief procurement officer makes a written determination that award of the job order is in the best interest of the state before awarding a job order.~~
- C.** When authorized by the state procurement administrator, an agency chief procurement officer may use job order contracting for individual job orders estimated to cost more than \$250,000 or less than or equal to \$1,000,000, provided that: Price proposals shall be based on an adjustment factor or factors applied to a catalog of construction tasks.
- ~~1. The agency chief procurement officer obtains a cost estimate for the job order from a person as defined in A.R.S. Title 32, Chapter 1, Article 1 before requesting a cost proposal from the job order contractor; and~~
 - ~~2. The agency chief procurement officer makes a written determination that award of the job order is in the best interest of the state before awarding a job order.~~
- D.** Individual job orders issued under a job order contract shall not exceed \$2,000,000.00, unless authorized by the state procurement administrator.
- E.** All individual job orders exceeding \$1,000,000 shall obtain authorization from the chief procurement officer of the General Services Division.
- F.** Upon completion of the job order, the agency chief procurement officer shall document in the contract file a summary of the estimated or final costs and the reasons the award is in the best interests of the state. Individual job orders shall include an itemized list of each construction task required to complete the work with the task's associated unit price and applied adjustment factor.
- D-G.** ~~Conduct the procurement, as necessary in accordance with R2-7-B302, R2-7-B311, R2-7-B313, and R2-7-B315, unless a modified process is approved by the state procurement administrator. The agency chief procurement officer may request cost proposals from multiple job order contractors or negotiate with a single job order contractor.~~
- F-H.** The agency chief procurement officer may authorize contract change orders or amendments that result in the individual job order cost exceeding \$1,000,000 ~~\$2,000,000~~ only with authorization from the state procurement administrator.

ARTICLE 9. LEGAL AND CONTRACTUAL REMEDIES**PART B. CONTRACT CLAIMS****R2-7-B901. Controversies Involving Contract Claims Against the State**

- A. A claimant shall file a contract claim with the agency chief procurement officer, with a copy to the state procurement administrator, within 180 days after the claim arises. A claim filed after 180 days of the date on which the claim arose shall be considered untimely and rejected. The claim shall include the following:
1. The name, address, and telephone number of the claimant;
 2. The signature of the claimant or claimant's representative;
 3. Identification of the purchasing agency and the solicitation or contract number;
 4. A detailed statement of the legal and factual grounds of the claim including copies of the relevant documents; and
 5. The form and dollar amount of the relief requested
- B. The agency chief procurement officer shall have the authority to settle and resolve contract claims, except that the agency chief procurement officer shall receive prior written approval of the state procurement administrator for the settlement or resolution of a claim in excess of the amount prescribed in A.R.S. § 41-2535.

R2-7-B902. Agency Chief Procurement Officer's Decision

- A. ~~If a claim cannot be resolved under R2-7-B901, the agency chief procurement officer shall, upon a written request by the claimant for a final decision, issue a written decision no more than 60 days after the request is filed. The agency chief procurement officer shall take reasonable steps to work with the parties to a claim to resolve all or some of the issues in the claim through either discussions or an informal settlement conference under R2-7-A910.~~
- B. The parties to a claim shall have 60 days to resolve the claim, unless this period is modified by the agency chief procurement officer as described in this subsection. The agency chief procurement officer may end the 60-day period early, if the agency chief procurement officer determines that the claim cannot be resolved by the parties. The agency chief procurement officer may also allow additional time for the parties to resolve the claim, upon request by all parties to the claim.
- C. If any issues in the claim are not resolved by a mutual agreement between the parties to the claim as described in subsections (A) and (B) of this Section, then the agency chief procurement officer shall issue a decision within 60 days of the end of the time period for discussions or settlement described in subsection (B) of this Section. Before issuing a final decision, the agency chief procurement officer shall review the facts pertinent to the claim and secure any necessary assistance from legal, fiscal, and other advisors. Upon a showing of good cause, the director may grant the agency chief procurement officer up to 30 additional days to issue this decision.
- ~~B-D.~~ The agency chief procurement officer shall furnish the decision to the claimant, by certified mail, return receipt requested, or by any other method that provides evidence of receipt, with a copy to the state procurement administrator. The decision shall include:
1. A description of the claim;
 2. A reference to the pertinent contract provision;
 3. A statement of the factual areas of agreement or disagreement;
 4. A statement of the agency chief procurement officer's decision, with supporting rationale; and
 5. A paragraph which substantially states: "This is the final decision of the agency chief procurement officer. This decision may be appealed to the director of the Department of Administration. If you appeal, you must file a written notice of appeal containing the information required in R2-7-B904(B) with the director within 30 days from the date you receive this decision."

R2-7-B903. Issuance of a Timely Decision

If the agency chief procurement officer fails to issue a decision within ~~60 days after the request is filed~~ the appropriate time period as described in R2-7-B902, the claimant may proceed as if the agency chief procurement officer had issued an adverse decision.

NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening under A.R.S. § 41-1021.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that an agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA, effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. An agency may file the Notice of Rulemaking Docket Opening along with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS

[R22-183]

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 7, Department of Health Services - Radiation Control
Articles and their headings: 1, General Provisions
4, Standards for Protection Against Ionizing Radiation
5, Sealed Source Industrial Radiography
6, Use of X-Rays in the Healing Arts
7, Medical Uses of Radioactive Material
9, Particle Accelerators
15, Transportation
17, Wireline Service Operations and Subsurface Tracer Studies
19, Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material

Section numbers: R9-7-102, R9-7-433, R9-7-443, R9-7-445, R9-7-448, R9-7-454, R9-7-523, R9-7-611.01, R9-7-702, R9-7-710, R9-7-711, R9-7-712, R9-7-723, R9-7-727, R9-7-744, R9-7-745, R9-7-746, R9-7-904, R9-7-1512, R9-7-1723, and R9-7-1957 (*The Department may add, delete, or modify other Sections, as necessary.*)
2. **The subject matter of the proposed rules:**
Arizona Revised Statutes (A.R.S.) § 30-654(B)(5) requires the Arizona Department of Health Services (Department) to make rules deemed necessary to administer A.R.S. Title 30, Chapter 4, Control of Ionizing Radiation. The Department has adopted these rules in A.A.C. Title 9, Chapter 7. Arizona is an Agreement State by the Document negotiated between the U.S. Atomic Energy Commission (now U.S. Nuclear Regulatory Commission) and the Governor of Arizona in March of 1967 under A.R.S. § 30-656. In order to remain in compliance with the Agreement, Arizona must adopt regulations related to the control of radioactive material in a manner that is consistent with federal regulations. The U.S. Nuclear Regulatory Commission periodically issues changes, denoted as Regulation Toolbox: Review Summary Sheets for Regulation Amendments (RATS IDs), that are required to be incorporated by Agreement States. Several RATS IDs have not yet been incorporated into Arizona’s rules related to radioactive material. After receiving an exception from the rulemaking moratorium established by Executive Order 2022-01, the Department is revising the rules in A.A.C. Title 9, Chapter 7, by expedited rulemaking to make changes to conform to the RATS IDs 2020-1, 2020-2, 2020-3, 2021-1, 2021-2, and 2022-1, and make corresponding changes elsewhere in the rules.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Brian D. Goretzki, Chief, Bureau of Radiation Control
Address: Arizona Department of Health Services
Public Health Licensing Services
4814 S. 40th St.
Phoenix, AZ 85040

Telephone: (602) 255-4840
Fax: (602) 437-0705
Email: Brian.Goretzki@azdhs.gov

or
Name: Stephanie Elzenga, Interim Office Chief
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules

150 N. 18th Ave., Suite 200
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
Email: Stephanie.Elzenga@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. No oral proceedings have been scheduled at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Expedited Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING**

[R22-184]

1. Title and its heading:

9, Health Services

Chapter and its heading:

16, Department of Health Services - Occupational Licensing

Articles and their headings:

6, Radiation Technologists

Section numbers:

R9-16-603 through R9-16-606, R9-16-608, R9-16-610, R9-16-613, R9-16-616, and R9-16-620 (*The Department may add, delete, or modify other Sections, as necessary.*)

2. The subject matter of the proposed rules:

Arizona Revised Statutes (A.R.S.) Title 9, Chapter 28, Article 2 provides for the certification of different classes of radiation technologists. Upon assuming responsibility for the regulation of radiation technologists, the Department adopted rules for certification of radiation technologists in Arizona Administrative Code (A.A.C.) Title 9, Chapter 16, Article 6. The Arizona Department of Health Services (Department) had identified several rules that require changes to update incorporations by reference to the current national standards, make the rules consistent with statutes, and correct a typographical error. After receiving an exception from the rulemaking moratorium established by Executive Order 2022-01, the Department is revising the rules in 9 A.A.C. 16, Article 6, to reduce the burden on regulated entities and conform to statutory requirements, while preserving the health and safety of those individuals who are exposed to radiation by radiation technologists as part of diagnosis or treatment.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Megan Whitby, Bureau Chief

Address: Arizona Department of Health Services
Public Health Licensing Services
150 N. 18th Ave., Suite 400
Phoenix, AZ 85007

Telephone: (602) 364-3052

Fax: (602) 364-2079

Email: Megan.Whitby@azdhs.gov

or

Name: Stephanie Elzenga, Interim Chief

Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007

Telephone: (602) 542-1020

Fax: (602) 364-1150

Email: Stephanie.Elzenga@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Expedited Rulemaking

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Expedited Rulemaking

NOTICES OF SUBSTANTIVE POLICY STATEMENT

SUMMARIES AND LOCATION OF STATEMENTS

Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice as defined under A.R.S. § 41-1001(24).

Agencies are required to prepare a notice and publish the names of its substantive policy statements, a summary of statements, and its website where full statements can be reviewed under A.R.S. § 41-1013(B)(9). These notices are published in this section of the *Register*.

Substantive policy statements are advisory only. A substantive policy statement does not include internal pro-

cedural documents that only affect an agency's internal procedures and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the APA.

Any person may petition an agency under A.R.S. § 41-1033(A)(2) to review an existing agency practice or substantive policy statement that the petitioner alleges to constitute a rule.

Contact the agency liaison listed under Item #6.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

BOARD OF NURSING

[M22-50]

1. **Title of the substantive policy statement and the number by which the policy statement is referenced:**
NEW – Calculation of Time – Arizona Administrative Code Title 4, Chapter 19, Table 1
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
May 17, 2022
3. **Summary of the contents of the substantive policy statement:**
This policy provides staff with guidance regarding computation of time in accordance with Table 1 time-frames for Board processing of license and other applications.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. § 41-1091(B)
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
New policy
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Joey Ridenour, RN, MN, FAAN, Executive Director
Address: Arizona State Board of Nursing
1740 W. Adams St., Suite 2000
Phoenix, AZ 85007
Telephone: (602) 771-7801
Email: <https://www.azbn.gov/laws-and-rules/substantive-policies>
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
Copies of this policy statement may be obtained at no cost via email to the person listed above or on the Board website: www.azbn.gov. Hard copies may be obtained by contacting the person listed above for \$0.25 per page.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

BOARD OF NURSING

[M22-51]

1. **Title of the substantive policy statement and the number by which the policy statement is referenced:**
NEW – Medication-Assisted Treatment (MAT) for Licensees with Opioid Use Disorder
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
July 29, 2022
3. **Summary of the contents of the substantive policy statement:**
Expert guidance and consistent treatment recommendations are essential to ensure that nurses requiring MAT are effectively treated and are able to demonstrate their safety to practice while undergoing MAT. Nurses returning to clinical practice while undergoing MAT have a potential to negatively impact patient safety and independent expert evaluations and ongoing expert treatment provider input is necessary. Additional monitoring to adequately monitor nurses receiving MAT is outlined in this substantive policy statement.

4. **Federal or state constitutional provision: federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. § 41-1091(B)
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
New policy
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Joey Ridenour, RN, MN, FAAN, Executive Director
Address: Arizona State Board of Nursing
1740 W. Adams St., Suite 2000
Phoenix, AZ 85007
Telephone: (602) 771-7801
Email: jridenour@azbn.gov
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
Copies of this policy statement may be obtained at no cost via email to the person listed above or on the Board website: www.azbn.gov. Hard copies may be obtained by contacting the person listed above for \$0.25 per page.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF AGRICULTURE ANIMAL SERVICES DIVISION

[M22-49]

1. **Title of the substantive policy statement and the number by which the substantive policy statement is referenced:**
Arizona Department of Agriculture, Animal Services Division, Substantive Policy Statement 22-02, relating to requirements for poultry husbandry and production of eggs sold.
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
The substantive policy statement was issued and effective on August 15, 2022.
3. **Summary of the contents of the substantive policy statement:**
The Arizona Department of Agriculture, Animal Services Division (the "Division") is responsible for the development and adoption of rules for poultry husbandry and the production of eggs sold in this state. Those standards were updated to include cage-free requirements, to be effective October 1, 2022. Since that rulemaking there has been an increase of Avian Influenza that has affected egg production throughout the United States, resulting in a national egg shortage. Compliance with the newly established standards is impractical for producers at this time, and contrary to public policy. The Department will not enforce the newly adopted cage-free standards listed in A.A.C. R3-2-907 until January 1, 2023.
4. **Federal or state constitutional provision: federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
General authority: A.R.S. §§ 3-107, 3-710, and A.A.C. Title 3, Chapter 2.
Specific authority: A.R.S. §§ 3-710(F) and (J), and A.A.C. R3-2-907.
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
The substantive policy statement is new.
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Roland Mader
Address: Arizona Department of Agriculture, Animal Services Division
1110 W. Washington St., Suite 450
Phoenix, AZ 85007
Telephone: (602) 542-0884
Fax: (602) 542-4194
Email: rmader@azda.gov
Website: <https://agriculture.az.gov/animals>
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
The substantive policy statement may be found on the official website of the Department. The URL for Department policies is <https://agriculture.az.gov/about-us/policies-statutes>. You may receive a written copy, free of charge, by contacting the Egg Program Administrator, whose information is listed above.

NOTICE OF SUBSTANTIVE POLICY STATEMENT**DEPARTMENT OF HEALTH SERVICES**

[M22-48]

- 1. Title of the substantive policy statement and the number by which the substantive policy statement is reference:**
SP-040-DLS-CCL: Clarification of Child Care Facility Rules in 9 A.A.C. 5.
- 2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
Effective date: July 29, 2022
- 3. Summary of the contents of the substantive policy statement:**
The purpose of this substantive policy statement is to provide the general public “guidelines for compliance” with the child care facility rules in Arizona Administrative Code Title 9, Chapter 5. The guidelines for compliance allow the general public consistent interpretation and application of each rule clarified in this substantive policy statement.
- 4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. §§ 36-132(A) and 36-136(G)
- 5. A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a revision to the substantive policy statement.
- 6. The agency contact person who can answer questions about the substantive policy statement:**
Name: Lourdes Ochoa, Branch Chief
Address: Arizona Department of Health Services
Public Health Licensing Services
150 N. 18th Ave., Suite 400
Phoenix, AZ 85007
Telephone: (602) 364-2539
Email: lourdes.ochoa@azdhs.gov
or
Name: Stephanie Elzenga, Interim Office Chief
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007
Telephone: (602) 542-8819
Fax: (602) 364-1150
Email: stephanie.elzenga@azdhs.gov
- 7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
A copy of the substantive policy statement is available, free of charge, from the Arizona Department of Health Services, Office of Administrative Counsel and Rules at the following web address: <https://www.azdhs.gov/director/administrative-counsel-rules/rules/index.php#sps-licensing>
A copy of the substantive policy statement may also be obtained from the Arizona Department of Health Services, Public Licensing Services, 150 N. 18th Ave., Suite 400, Phoenix, AZ 85007 for 25 cents per page. Payment is accepted in cash or money order made payable to the Arizona Department of Health Services.

GOVERNOR EXECUTIVE ORDER

RULEMAKING MORATORIUM

Executive Order 2022-01 is being reproduced in each issue of the *Arizona Administrative Register* as a notice to the public regarding state agencies' rulemaking activities.

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2022-01

Moratorium on Rulemaking to Promote Job Creation and Economic Development; Internal Review of Administrative Rules

[M22-03]

WHEREAS, government regulations should be as limited as possible; and

WHEREAS, burdensome regulations inhibit job growth and economic development; and

WHEREAS, in 2015 the State of Arizona implemented a moratorium on all new regulatory rulemaking by State agencies through executive order, and renewed the moratorium in 2016, 2017, 2018, 2019, 2020 and 2021; and

WHEREAS, the State of Arizona eliminated or improved 231 burdensome regulations in 2021 and for a total of 3,047 needless regulations eliminated or improved since 2015; and

WHEREAS, estimates show these eliminations saved job creators nearly \$11.6 million in operating costs in 2021 for a total of over \$169.1 million in savings since 2015; and

WHEREAS, in 2021, for every one new necessary rule added to the Administrative Code, 25 have been repealed or improved; and

WHEREAS, COVID-19 has been hard on small businesses and the economy, and administrative barriers should be removed for their sake; and

WHEREAS, all government agencies of the State of Arizona should continue to promote customer service oriented principles for the people that it serves; and

WHEREAS, each State agency shall continue to conduct a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay and legal uncertainty associated with government regulation while protecting the health, peace and safety of residents; and

WHEREAS, each State agency should continue to evaluate its administrative rules using any available and reliable data and performance metrics; and

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor.

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

1. A State agency subject to this Order shall not conduct any rulemaking, including regular, expedited, emergency and exempt, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justifications for the rulemaking:
 - a. To fulfill an objective related to job creation, economic development or economic expansion in this State.
 - b. To reduce or ameliorate a regulatory burden on the public, while achieving the same regulatory objective.
 - c. To prevent a significant threat to public health, peace or safety.
 - d. To avoid violating a court order or federal law that would result in sanctions by a federal court for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
 - f. To comply with a new state statutory requirement.
 - g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - i. To address matters pertaining to the control, mitigation, or eradication of waste, fraud, or abuse within an agency or wasteful, fraudulent or abusive activities perpetrated against an agency.
 - j. To eliminate rules which are antiquated, redundant or otherwise no longer necessary for the operation of state government.
2. After the public comment period and the close of the rulemaking record, a State agency subject to this Order shall not submit the proposed rules to the Governor's Regulatory Review Council without a written final approval from the Office of the Governor. Before considering rules submitted by a State agency, the Governor's Regulatory Review Council must obtain from the State agency the initial approval, referenced in Section 1, and the final approval from the Office of the Governor.
3. A State agency that submits a rulemaking request pursuant to this Order shall recommend for consideration by the Governor's Office at least *three* existing rules to eliminate for every *one* additional rule requested by the agency.

4. A State agency subject to this Order shall not publicize any directives, policy statements, documents or forms on its website unless such are explicitly authorized by the Arizona Revised Statutes or Arizona Administrative Code. Any material that is not specifically authorized must be removed immediately.
5. A State agency that issues occupational or professional licenses shall prominently post on the agency's website landing page all current state policies that ease licensing burdens and the exact steps applicants must complete to receive their license using these policies. State agencies should provide information that applies to all applicants, but have a designated area on the landing page that includes licensing information specifically for military spouses, active duty service members and veterans and all policies that make it easier for these applicant groups to receive their license. Examples of reduced licensing burdens include "universal recognition" of out-of-state licenses, availability of temporary licenses, fee waivers, exam exemptions and/or allowing an applicant to substitute military education or experience for licensing requirements. A landing page feature may link to an internal agency web page with more information, if necessary. All information must be easy to locate and written in clear and concise language.
6. A State agency that issues occupational or professional licenses must track veteran and military spouse status of applicants immediately and report that information to the Governor's Office on an annual basis, starting July 1, 2022.
7. All State agencies that are required to issue occupational or professional licenses by "universal recognition" (established by A.R.S. § 32-4302) must track all applications received for this license type immediately and report that information to the Governor's Office on an annual basis, starting July 1, 2021. Before any agency denies a professional or occupational license applied for under A.R.S. § 32-4302, the agency shall submit the application and justification for denial to the Office of the Governor for review before any official action is taken by the agency. The Governor's Office should be notified of any required timeframes, whether in statute or rule, for approval or denial of the license by the agency.
8. For the purposes of this Order, the term "State agencies" includes, without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official; (b) the Corporation Commission; and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those state agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
9. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, "person," "rule" and "rulemaking" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
10. This Executive Order shall expire when the provisions of this executive order are adopted in statute and become law.

IN WITNESS THEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this nineteenth day of January in the year Two Thousand and Twenty Two and of the Independence of the United States of America the Two Hundred and Forty-Sixth.

ATTEST:

Katie Hobbs
SECRETARY OF STATE

REGISTER INDEXES

The *Register* is published by volume in a calendar year (See “General Information” in the front of each issue for more information).

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN = Proposed new Section
PM = Proposed amended Section
PR = Proposed repealed Section
P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
SPM = Supplemental proposed amended Section
SPR = Supplemental proposed repealed Section
SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
FM = Final amended Section
FR = Final repealed Section
F# = Final renumbered Section

SUMMARY RULEMAKING

PROPOSED SUMMARY

PSMN = Proposed Summary new Section
PSMM = Proposed Summary amended Section
PSMR = Proposed Summary repealed Section
PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

FSMN = Final Summary new Section
FSMM = Final Summary amended Section
FSMR = Final Summary repealed Section
FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

PEN = Proposed Expedited new Section
PEM = Proposed Expedited amended Section
PER = Proposed Expedited repealed Section
PE# = Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED

SPEN = Supplemental Proposed Expedited new Section
SPEM = Supplemental Proposed Expedited amended Section
SPER = Supplemental Proposed Expedited repealed Section
SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

FEN = Final Expedited new Section
FEM = Final Expedited amended Section
FER = Final Expedited repealed Section
FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING

EXEMPT

XN = Exempt new Section
XM = Exempt amended Section
XR = Exempt repealed Section
X# = Exempt renumbered Section

EXEMPT PROPOSED

PXN = Proposed Exempt new Section
PXM = Proposed Exempt amended Section
PXR = Proposed Exempt repealed Section
PX# = Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED

SPXN = Supplemental Proposed Exempt new Section
SPXR = Supplemental Proposed Exempt repealed Section
SPXM = Supplemental Proposed Exempt amended Section
SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING

FXN = Final Exempt new Section
FXM = Final Exempt amended Section
FXR = Final Exempt repealed Section
FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING

EN = Emergency new Section
EM = Emergency amended Section
ER = Emergency repealed Section
E# = Emergency renumbered Section
EEXP = Emergency expired

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

TN = Terminated proposed new Sections
TM = Terminated proposed amended Section
TR = Terminated proposed repealed Section
T# = Terminated proposed renumbered Section

RULE EXPIRATIONS

EXP = Rules have expired

See also “emergency expired” under emergency rulemaking

CORRECTIONS

C = Corrections to Published Rules

2022 Arizona Administrative Register Volume 28 Page Guide

Issue 1, Jan. 7, 2022.....1-156	Issue 2, Jan. 14, 2022.....157-212	Issue 3, Jan. 21, 2022.....213-246
Issue 4, Jan. 28, 2022.....247-292	Issue 5, Feb. 4, 2022.....293-356	Issue 6, Feb. 11, 2022.....357-390
Issue 7, Feb. 18, 2022.....391-434	Issue 8, Feb. 25, 2022.....435-482	Issue 9, March 4, 2022.....483-544
Issue 10, March 11, 2022.....545-606	Issue 11, March 18, 2022.....607-638	Issue 12, March 25, 2022.....639-676
Issue 13, April 1, 2022.....677-714	Issue 14, April 8, 2022.....715-740	Issue 15, April 15, 2022.....741-790
Issue 16, April 22, 2022.....791-832	Issue 17, April 29, 2022.....833-888	Issue 18, May 6, 2022.....889-974
Issue 19, May 13, 2022.....975-1024	Issue 20, May 20, 2022.....1025-1088	Issue 21, May 27, 2022.....1089-1168
Issue 22, June 3, 2022.....1169-1250	Issue 23, June 10, 2022.....1251-1384	Issue 24, June 17, 2022.....1385-1470
Issue 25, June 24, 2022.....1471-1512	Issue 26, July 1, 2022.....1513-1548	Issue 27, July 8, 2022.....1549-1622
Issue 28, July 15, 2022.....1623-1678	Issue 29, July 22, 2022.....1679-1796	Issue 30, July 29, 2022.....1791-1880
Issue 31, Aug. 5, 2022.....1881-2004	Issue 32, Aug. 12, 2022.....2005-2046	Issue 33, Aug. 19, 2022.....2047-2082

RULEMAKING ACTIVITY INDEX

Rulemakings are listed in the Index by Chapter, Section number, rulemaking activity abbreviation and volume page number. Use the page guide above to determine the *Register* issue number to review the rule. Headings for the Subchapters, Articles, Parts, and Sections are not indexed.

THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 33 OF VOLUME 28.

Accountancy, Board of		R3-2-903.	PM-5;	R3-7-601.	PM-1683
R4-1-101.	FM-1106		FM-802	R3-7-602.	PM-1683
R4-1-104.	FM-1106	R3-2-905.	PM-5;	R3-7-603.	PM-1683
R4-1-115.03.	FM-1106		FM-802	R3-7-604.	PM-1683
R4-1-345.	FM-1106	R3-2-906.	PM-5;	R3-7-605.	PR-1683
R4-1-453.	FM-1106		FM-802	R3-7-701.	PM-1683
R4-1-454.	FM-1106	R3-2-907.	PM-5;	R3-7-702.	PM-1683
R4-1-455.	FM-1106		FM-802	R3-7-703.	PM-1683
Administration, Department of - Risk Management Division		Agriculture, Department of - Office of Commodity Development and Promotion		R3-7-704.	PM-1683
R2-10-502.	EXP-2061	R3-6-102.	FXM-2022	R3-7-705.	PM-1683
Administration, Department of - State Procurement Office		Agriculture, Department of - Plant Services Division		R3-7-707.	PM-1683
R2-7-101.	PEM-693	R3-4-301.	FXM-2020	R3-7-708.	PM-1683
R2-7-B306.	PEM-693	Agriculture, Department of - Weights and Measures Services Division		R3-7-710.	PM-1683
R2-7-B307.	PEM-693			R3-7-712.	PM-1683
R2-7-C302.	PEM-693	R3-7-101.	PM-1683	R3-7-713.	PM-1683
R2-7-C306.	PEM-693	R3-7-103.	PM-1683	R3-7-714.	PR-1683
R2-7-C307.	PEM-693	R3-7-104.	PM-1683	R3-7-715.	PM-1683
R2-7-501.	PER-693	R3-7-108.	PM-1683	R3-7-716.	PM-1683
R2-7-505.	PEM-693	R3-7-109.	PM-1683	R3-7-717.	PM-1683
R2-7-511.	PEM-693	R3-7-110.	PM-1683	R3-7-718.	PM-1683
R2-7-B901.	PEM-693	Table 1.	PM-1683	R3-7-749.	PM-1683
R2-7-B902.	PEM-693	R3-7-201.	PM-1683	R3-7-750.	PM-1683
R2-7-B903.	PEM-693	R3-7-203.	PM-1683	R3-7-751.	PM-1683
Agriculture, Department of - Agricultural Councils and Commissions		R3-7-204.	PR-1683	R3-7-752.	PM-1683
R3-9-601.	XM-198	R3-7-302.	PM-1683	R3-7-753.	PM-1683
Agriculture, Department of - Animal Services Division		R3-7-402.	PM-1683	R3-7-754.	PM-1683
R3-2-203.	FXM-2017	R3-7-501.	PM-1683	R3-7-755.	PM-1683
R3-2-701.	FXM-2017	R3-7-502.	PM-1683	R3-7-756.	PM-1683
R3-2-810.	FXM-2017	R3-7-503.	PM-1683	R3-7-757.	PM-1683
R3-2-901.	PM-5;	R3-7-504.	PM-1683	R3-7-759.	PM-1683
	FM-802	R3-7-505.	PM-1683	Table A.	PM-1683
		R3-7-506.	PM-1683	R3-7-760.	PM-1683
		R3-7-507.	PM-1683	R3-7-761.	PM-1683
				R3-7-762.	PM-1683
				Table 1.	PR-1683
				Table 2.	PR-1683
				R3-7-901.	PR-1683
				R3-7-902.	PR-1683
				R3-7-903.	PR-1683
				R3-7-904.	PR-1683

R3-7-905.	PR-1683	R4-6-101.	PM-1627	R14-2-312.	FM-564
R3-7-906.	PR-1683	R4-6-211.	PM-1627;	R14-2-315.	FN-564
R3-7-907.	PR-1683		SPM-2009	R14-2-316.	FN-564
R3-7-908.	PR-1683	R4-6-212.	PM-1627	R14-2-701.	TR-1488
R3-7-909.	PR-1683	R4-6-214.	PM-1627	R14-2-702.	TR-1488
R3-7-910.	PR-1683	R4-6-215.	PM-1627	R14-2-703.	TR-1488
R3-7-911.	PR-1683	R4-6-216.	PM-1627	R14-2-704.	TR-1488
R3-7-912.	PR-1683	R4-6-217.	PN-1627	R14-2-705.	TR-1488
R3-7-913.	PR-1683	R4-6-301.	PM-1627	R14-2-706.	TR-1488
R3-7-1001.	PM-1683	Table 1.	PM-1627	R14-2-1618.	TR-1488
R3-7-1002.	PM-1683	R4-6-304.	PM-1627	R14-2-1801.	TR-1488
R3-7-1003.	PM-1683	R4-6-306.	SPM-2009	R14-2-1802.	TR-1488
R3-7-1004.	PM-1683	R4-6-403.	PM-1627	R14-2-1803.	TR-1488
R3-7-1005.	PM-1683	R4-6-404.	PM-1627	R14-2-1804.	TR-1488
R3-7-1006.	PM-1683	R4-6-501.	PM-1627	R14-2-1805.	TR-1488
R3-7-1007.	PM-1683	R4-6-503.	PM-1627	R14-2-1806.	TR-1488
R3-7-1008.	PM-1683	R4-6-601.	PM-1627	R14-2-1807.	TR-1488
R3-7-1009.	PM-1683	R4-6-603.	PM-1627	R14-2-1808.	TR-1488
R3-7-1010.	PM-1683	R4-6-702.	PM-1627	R14-2-1809.	TR-1488
R3-7-1012.	PM-1683	R4-6-703.	PM-1627	R14-2-1810.	TR-1488
R3-7-1013.	PM-1683	R4-6-705.	PM-1627	R14-2-1811.	TR-1488
Athletic Training, Board of		R4-6-706.	PM-1627	R14-2-1812.	TR-1488
R4-49-101.	FM-618	R4-6-801.	PM-1627	R14-2-1813.	TR-1488
R4-49-102.	FM-618	R4-6-802.	PM-1627	R14-2-1814.	TR-1488
R4-49-202.	FM-618	R4-6-1101.	PM-1627	R14-2-1815.	TR-1488
R4-49-203.	FM-618	R4-6-1102.	PM-1627	R14-2-1816.	TR-1488
R4-49-208.	FM-618	R4-6-1105.	PM-1627	Appendix A.	TR-1488
R4-49-401.	FM-618	R4-6-1106.	PM-1627	R14-2-2302.	TM-1488
R4-49-403.	FM-618	Child Safety, Department of - Foster Home and Child Welfare Agency Facility Safety		R14-2-2307.	TM-1488
R4-49-404.	FM-618	R21-8-101.	FM-809	R14-2-2401.	TR-1488
Barbers, Board of		R21-8-102.	FM-809	R14-2-2402.	TR-1488
R4-5-101.	RC-1058	R21-8-103.	FM-809	R14-2-2403.	TR-1488
R4-5-102.	RC-1058	R21-8-106.	FM-809	R14-2-2404.	TR-1488
R4-5-103.	RC-1058	R21-8-107.	FM-809	R14-2-2405.	TR-1488
R4-5-104.	RC-1058	R21-8-111.	FM-809	R14-2-2406.	TR-1488
R4-5-106.	RC-1058	R21-8-112.	FM-809	R14-2-2407.	TR-1488
R4-5-107.	RC-1058	R21-8-113.	FM-809	R14-2-2408.	TR-1488
R4-5-108.	RC-1058		F#-809;	R14-2-2409.	TR-1488
Table 1.	RC-1058		FN-809	R14-2-2410.	TR-1488
R4-5-109.	RC-1058	R21-8-114.	F#-809;	R14-2-2411.	TR-1488
R4-5-201.	RC-1058		FM-809	R14-2-2412.	TR-1488
R4-5-202.	RC-1058	Child Safety, Department of - Permanency and Support Services		R14-2-2413.	TR-1488
R4-5-203.	RC-1058	R21-5-421.	PEM-816	R14-2-2414.	TR-1488
R4-5-301.	RC-1058	Clean Elections, Citizens		R14-2-2415.	TR-1488
R4-5-302.	RC-1058	R2-20-101.	FM-491	R14-2-2416.	TR-1488
R4-5-303.	RC-1058	Contractors, Registrar of		R14-2-2417.	TR-1488
R4-5-304.	RC-1058	R4-9-115.	EXP-624	R14-2-2418.	TR-1488
R4-5-305.	RC-1058	Corporation Commission - Fixed Utilities		R14-2-2419.	TR-1488
R4-5-401.	RC-1058	R14-2-201.	FM-564	R14-2-2501.	TR-1488
R4-5-402.	RC-1058	R14-2-208.	FM-564	R14-2-2502.	TR-1488
R4-5-403.	RC-1058	R14-2-211.	FM-564	R14-2-2503.	TR-1488
R4-5-404.	RC-1058	R14-2-212.	FM-564	R14-2-2504.	TR-1488
R4-5-405.	RC-1058	R14-2-214.	FN-564	R14-2-2505.	TR-1488
Exhibit 1.	RC-1058	R14-2-215.	FN-564	R14-2-2506.	TR-1488
Exhibit 2.	RC-1058	R14-2-216.	FN-564	R14-2-2507.	TR-1488
R4-5-406.	RC-1058	R14-2-301.	FM-564	R14-2-2508.	TR-1488
R4-5-407.	RC-1058	R14-2-308.	FM-564	R14-2-2509.	TR-1488
R4-5-408.	RC-1058	R14-2-311.	FM-564	R14-2-2510.	TR-1488
R4-5-409.	RC-1058			R14-2-2511.	TR-1488
R4-5-411.	RC-1058			R14-2-2512.	TR-1488
R4-5-501.	RC-1058			R14-2-2513.	TR-1488
R4-5-502.	RC-1058			R14-2-2514.	TR-1488
Behavioral Health Examiners, Board of				R14-2-2515.	TR-1488
				R14-2-2516.	TR-1488
				R14-2-2517.	TR-1488
				R14-2-2518.	TR-1488

R14-2-2519.	TR-1488	R4-10-811.	RC-1058	R4-11-1303.	PM-161;
R14-2-2520.	TR-1488	R4-10-901.	RC-1058		FM-1885
R14-2-2701.	TN-1488	R4-10-902.	RC-1058	R4-11-1405.	PM-161;
R14-2-2702.	TN-1488				FM-1885
R14-2-2703.	TN-1488	Criminal Justice Commission, Arizona		R4-11-1502.	PM-1173
R14-2-2704.	TN-1488			R4-11-1503.	PM-1173
R14-2-2705.	TN-1488	R10-4-501.	PM-1029	R4-11-1601.	PN-1173
R14-2-2706.	TN-1488	Dental Examiners, State Board of		R4-11-1602.	PN-1173
R14-2-2707.	TN-1488			R4-11-1603.	PN-1173
R14-2-2708.	TN-1488	R4-11-101.	PM-1173	R4-11-1604.	PN-1173
R14-2-2709.	TN-1488	R4-11-201.	PM-1173		
R14-2-2710.	TN-1488	R4-11-202.	PM-1173	Economic Security, Department of - Developmental Disabilities	
R14-2-2711.	TN-1488	R4-11-203.	PM-1173		
R14-2-2712.	TN-1488	R4-11-205.	PM-161;	R6-6-901.	SP#-985;
R14-2-2713.	TN-1488		FM-1885		SPN-985
R14-2-2714.	TN-1488	R4-11-206.	PN-1173	R6-6-902.	SP#-985;
R14-2-2715.	TN-1488	R4-11-301.	PM-1173		SPM-985
R14-2-2716.	TN-1488	R4-11-303.	PM-161;	R6-6-903.	SP#-985;
R14-2-2717.	TN-1488		PM-1173;		SPM-985
R14-2-2718.	TN-1488		FM-1885	R6-6-904.	SP#-985;
Corporation Commission - Transportation		R4-11-304.	PM-161;		SPN-985
			FM-1885	R6-6-905.	SP#-985;
R14-5-201.	PM-256;	R4-11-305.	PM-161;		SPM-985
	FM-1404		FM-1885	R6-6-906.	SP#-985;
R14-5-202.	PM-256;	R4-11-401.	PM-1173		SPM-985
	FM-1404	R4-11-402.	PM-161;	R6-6-907.	SP#-985;
R14-5-203.	PM-256;		FM-1885		SPM-985
	FM-1404	R4-11-403.	PM-1173	R6-6-908.	SP#-985;
R14-5-204.	PM-256;	R4-11-405.	PM-161;		SPM-985
	FM-1404		FM-1885	R6-6-909.	SP#-985;
R14-5-205.	PM-256;	R4-11-601.	PM-161;		SPM-985
	FM-1404		FM-1885	R6-6-910.	SP#-985;
R14-5-207.	PM-256;	R4-11-607.	PM-161;		SPM-985
	FM-1404		FM-1885	R6-6-911.	SP#-985;
		R4-11-608.	PM-161;		SPM-985
			FM-1885	R6-6-1401.	PN-797
Cosmetology, Board of (Barbering and Cosmetology Board)		R4-11-609.	PM-161;	R6-6-1402.	PN-797
			FM-1885	R6-6-1403.	PN-797
R4-10-501.	RC-1058	R4-11-701.	PM-1173	R6-6-1404.	PN-797
R4-10-502.	RC-1058	R4-11-702.	PM-1173	R6-6-1405.	PN-797
R4-10-503.	RC-1058	R4-11-901.	PM-161;	R6-6-1406.	PN-797
R4-10-504.	RC-1058		FM-1885	R6-6-1407.	PN-797
R4-10-506.	RC-1058	R4-11-1202.	PM-174;	R6-6-1408.	PN-797
R4-10-507.	RC-1058		FM-344;		
R4-10-508.	RC-1058		FM-1898	Education, State Board of	
Table 1.	RC-1058	R4-11-1203.	PM-174;	R7-2-614.	FXM-366
R4-10-509.	RC-1058		FM-1898	R7-2-615.	FXM-180
R4-10-601.	RC-1058	R4-11-1204.	PM-174;	R7-2-617.	FEM-276
R4-10-602.	RC-1058		FM-1898	R7-2-1501.	FXM-187
R4-10-603.	RC-1058	R4-11-1205.	PM-174;	R7-2-1502.	FXM-187
R4-10-701.	RC-1058		FM-1898	R7-2-1503.	FXM-187
R4-10-702.	RC-1058	R4-11-1206.	PM-174;	R7-2-1504.	FXM-187
R4-10-703.	RC-1058		FM-344;	R7-2-1505.	FXM-187
R4-10-704.	RC-1058		FM-1898	R7-2-1506.	FXM-187
R4-10-705.	RC-1058	R4-11-1207.	PM-174;	R7-2-1507.	FXM-187
R4-10-801.	RC-1058		FM-344;	R7-2-1508.	FXM-187
R4-10-802.	RC-1058		FM-1898	R7-2-1509.	FXM-187
R4-10-803.	RC-1058	R4-11-1208.	PM-174;	R7-2-1510.	FXM-187
R4-10-804.	RC-1058		FM-1898	R7-2-1511.	FXM-187
R4-10-805.	RC-1058	R4-11-1209.	PM-174;		
Exhibit 1.	RC-1058		FM-1898	Employment Relations Board, Agricultural	
Exhibit 2.	RC-1058	R4-11-1210.	PN-1173		
R4-10-806.	RC-1058	R4-11-1301.	PM-161;	R4-2-101.	FM-395
R4-10-807.	RC-1058		FM-1885	R4-2-102.	FM-395
R4-10-808.	RC-1058	R4-11-1302.	PM-161;	R4-2-103.	FM-395
R4-10-809.	RC-1058		FM-1885	R4-2-104.	FM-395

R4-2-201.	FM-395	R18-9-A603.	PN-22;	R18-9-D636.	PN-22;
R4-2-202.	FM-395		FN-1903		FN-1903
R4-2-204.	FM-395	R18-9-A604.	PN-22;	R18-9-D637.	PN-22;
R4-2-205.	FM-395		FN-1903		FN-1903
R4-2-206.	FM-395	R18-9-A605.	PN-22;	R18-9-D638.	PN-22;
R4-2-207.	FM-395		FN-1903		FN-1903
R4-2-209.	FM-395	R18-9-A606.	PN-22;	R18-9-D639.	PN-22;
R4-2-210.	FM-395		FN-1903		FN-1903
R4-2-212.	FM-395	R18-9-B607.	PN-22;	R18-9-E640.	PN-22;
R4-2-213.	FM-395		FN-1903		FN-1903
R4-2-215.	FM-395	R18-9-B608.	PN-22;	R18-9-E641.	PN-22;
R4-2-216.	FR-395;		FN-1903		FN-1903
	F#-395;	R18-9-B609.	PN-22;	R18-9-E642.	PN-22;
	FM-395		FN-1903		FN-1903
R4-2-217.	F#-395;	R18-9-B610.	PN-22;	R18-9-F643.	PN-22;
	FM-395		FN-1903		FN-1903
R4-2-218.	F#-395	R18-9-B611.	PN-22;	R18-9-F644.	PN-22;
R4-2-302.	FM-395		FN-1903		FN-1903
R4-2-303.	FM-395	R18-9-B612.	PN-22;	R18-9-F645.	PN-22;
R4-2-304.	FM-395		FN-1903		FN-1903
R4-2-305.	FM-395	R18-9-B613.	PN-22;	R18-9-G646.	PN-22;
R4-2-407.	FM-395		FN-1903		FN-1903
Environmental Quality, Department of - Administration		R18-9-B614.	PN-22;	R18-9-G647.	PN-22;
Table 10.	PM-16;		FN-1903		FN-1903
	FM-1801	R18-9-B615.	PN-22;	R18-9-G648.	PN-22;
			FN-1903		FN-1903
Environmental Quality, Department of - Air Pollution Control		R18-9-C616.	PN-22;	R18-9-H649.	PN-22;
			FN-1903		FN-1903
		R18-9-C617.	PN-22;	R18-9-I650.	PN-22;
			FN-1903		FN-1903
R18-2-101.	FEM-1135	R18-9-C618.	PN-22;	R18-9-I651.	PN-22;
R18-2-404.	FEM-1135		FN-1903		FN-1903
Environmental Quality, Department of - Permit and Compliance Fees		R18-9-C619.	PN-22;	R18-9-I652.	PN-22;
			FN-1903		FN-1903
		R18-9-C620.	PN-22;	R18-9-I653.	PN-22;
R18-14-101.	PM-79;		FN-1903		FN-1903
	FM-1811	R18-9-C621.	PN-22;	R18-9-I654.	PN-22;
R18-14-102.	PM-79;		FN-1903		FN-1903
	FM-1811	R18-9-C622.	PN-22;	R18-9-I655.	PN-22;
R18-14-104.	PM-79;		FN-1903		FN-1903
	FM-1811	R18-9-C623.	PN-22;	R18-9-J656.	PN-22;
R18-14-111.	PN-79;		FN-1903		FN-1903
	P#-79;	R18-9-C624.	PN-22;	R18-9-J657.	PN-22;
	PM-79;		FN-1903		FN-1903
	FN-1811;	R18-9-C625.	PN-22;	R18-9-J658.	PN-22;
	F#-1811;		FN-1903		FN-1903
	FM-1811	R18-9-C626.	PN-22;	R18-9-J659.	PN-22;
R18-14-112.	P#-79;		FN-1903		FN-1903
	F#-1811	R18-9-C627.	PN-22;	R18-9-J660.	PN-22;
R18-14-113.	P#-79;		FN-1903		FN-1903
	F#-1811	R18-9-C628.	PN-22;	R18-9-J661.	PN-22;
R18-14-114.	PN-79;		FN-1903		FN-1903
	P#-79;	R18-9-C629.	PN-22;	R18-9-J662.	PN-22;
	FN-1811;		FN-1903		FN-1903
	F#-1811	R18-9-C630.	PN-22;	R18-9-J663.	PN-22;
R18-14-115.	PN-79;		FN-1903		FN-1903
	FN-1811	R18-9-C631.	PN-22;	R18-9-J664.	PN-22;
Environmental Quality, Department of - Water Pollution Control			FN-1903		FN-1903
		R18-9-C632.	PN-22;	R18-9-J665.	PN-22;
			FN-1903		FN-1903
R18-9-103.	PM-22;	R18-9-C633.	PN-22;	R18-9-J666.	PN-22;
	FM-1903		FN-1903		FN-1903
R18-9-A601.	PN-22;	R18-9-C634.	PN-22;	R18-9-J667.	PN-22;
	FN-1903		FN-1903		FN-1903
R18-9-A602.	PN-22;	R18-9-D635.	PN-22;	R18-9-J668.	PN-22;
	FN-1903		FN-1903		FN-1903

R18-9-J669.	PN-22; FN-1903	R19-4-107.	FXM-919	R9-3-101.	PEM-89; FEM-1835
R18-9-J670.	PN-22; FN-1903	R19-4-110.	FXM-919	R9-3-201.	PEM-89; FEM-1835
Table 1.	PN-22; FN-1903	R19-4-113.	FXM-919	R9-3-202.	PEM-89; FEM-1835
Facilities Board, School		R19-4-116.	FXM-919	R9-3-203.	XM-1767
R7-6-101.	SPM-1093	R19-4-120.	FXM-919	R9-3-205.	PEM-89; FEM-1835
R7-6-205.	SPM-1093	R19-4-121.	FXM-919	R9-3-301.	PEM-89; FEM-1835
R7-6-210.	SPM-1093	R19-4-126.	FXM-919		
R7-6-211.	SPM-1093	R19-4-127.	FXM-919		
R7-6-213.	SPM-1093	R19-4-129.	FXM-919		
R7-6-215.	SPM-1093	R19-4-206.	FXM-925		
R7-6-216.	SPM-1093	R19-4-208.	FXM-925		
R7-6-220.	SPM-1093	Health Care Cost Containment Sys- tem, Arizona (AHCCCS) - Adminis- tration		Health Services, Department of - Emergency Medical Services	
R7-6-221.	SPM-1093	R9-22-701.	FM-837	R9-25-701.	FM-842
R7-6-227.	SPM-1093	R9-22-712.08.	FN-837	R9-25-703.	FM-842
R7-6-230.	SPM-1093	R9-22-712.35.	PM-1184	R9-25-704.	FM-842
R7-6-235.	SPM-1093	R9-22-712.61.	PM-1184	R9-25-705.	FR-842; F#-842; FM-842
R7-6-245.	SPM-1093	R9-22-712.63.	PM-1200	R9-25-706.	F#-842; FM-842
R7-6-246.	SPM-1093	R9-22-712.71.	PM-1184	R9-25-707.	F#-842; FM-842
R7-6-247.	SPM-1093	R9-22-730.	PXM-1226	R9-25-708.	F#-842; FM-842
R7-6-251.	SPR-1093	R9-22-731.	PM-1202; PXM-2013; TM-2024	R9-25-709.	F#-842; FM-842
R7-6-258.	SPM-1093	Health Care Cost Containment Sys- tem, Arizona (AHCCCS) - Arizona Long-term Care System		R9-25-710.	F#-842; FM-842
R7-6-260.	SPR-1093	R9-28-301.	PM-1208	R9-25-711.	F#-842; FM-842
R7-6-261.	SPR-1093	R9-28-303.	PM-1208	R9-25-712.	F#-842; FM-842
R7-6-265.	SPM-1093	R9-28-304.	PM-1208	R9-25-713.	F#-842; FR-842
R7-6-270.	SPM-1093	R9-28-305.	PM-1208	R9-25-714.	FR-842
R7-6-271.	SPM-1093	R9-28-306.	PM-1208	R9-25-715.	F#-842
R7-6-275.	SPM-1093	R9-28-307.	PM-1208	R9-25-716.	FR-842
R7-6-276.	SPM-1093	R9-28-702.	PM-1205	R9-25-717.	FR-842
R7-6-301.	SPM-1093	Health Care Cost Containment Sys- tem, Arizona (AHCCCS) - Children's Health Insurance Program		R9-25-718.	FR-842
R7-6-302.	SPM-1093	R9-31-101.	PEM-1219	R9-25-801.	FR-842; F#-842; FM-842
R7-6-501.	SPM-1093	R9-31-103.	PER-1219	R9-25-802.	F#-842; FM-842
R7-6-502.	SPM-1093	R9-31-301.	PEM-1219	R9-25-803.	F#-842; FM-842
R7-6-503.	SPM-1093	R9-31-308.	PEM-1219	R9-25-804.	F#-842; FM-842
R7-6-504.	SPM-1093	R9-31-401.	PER-1219	R9-25-805.	FM-842
R7-6-505.	SPM-1093	R9-31-1418.	PEM-1219	R9-25-806.	FR-842
R7-6-506.	SPM-1093	R9-31-1420.	PEM-1219	R9-25-807.	F#-842
R7-6-601.	SPR-1093	Health Services, Department of - Child Care Facilities		Table 8.1.	FR-842
Financial Institutions, Department of - Real Estate Appraisal Division		R9-5-101.	PEM-99; FEM-1845	R9-25-1201.	FM-842
R4-46-301.01.	PR-1643	R9-5-201.	PEM-99; FEM-1845	Table 12.1.	FM-842
R4-46-302.01.	PR-1643	R9-5-203.	PEM-99; FEM-1845	Health Services, Department of - Health Care Institution Facility Data	
R4-46-303.01.	PR-1643	R9-5-205.	XM-1769	R9-11-101.	PM-311
R4-46-304.01.	PR-1643	R9-5-206.	XM-1769	R9-11-201.	PM-311
R4-46-305.01.	PR-1643	R9-5-208.	PEM-99; FEM-1845	R9-11-202.	PM-311
R4-46-306.01.	PR-1643	R9-5-402.	PEM-99; FEM-1845	R9-11-203.	PM-311
R4-46-307.01.	PR-1643	Health Services, Department of - Child Care Group Homes		R9-11-205.	PM-311
Game and Fish Commission				R9-11-301.	PM-311
R12-4-501.	PM-553			R9-11-402.	PM-311
R12-4-502.	PM-553			R9-11-502.	PM-311
R12-4-504.	FXM-2057				
R12-4-507.	PM-553				
R12-4-509.	PM-553				
R12-4-510.	PM-553				
R12-4-518.	PM-553				
Gaming, Department of					
R19-4-101.	FXM-919				
R19-4-104.	FXM-919				
R19-4-105.	FXM-919				
R19-4-106.	FXM-919				

R9-11-601.	PN-311	R9-10-2225.	XN-927	R9-9-105.	PN-297;
R9-11-602.	PN-311	R9-10-2226.	XN-927		FN-1517
R9-11-603.	PN-311	Health Services, Department of - Health Programs Services		R9-9-106.	PN-297;
R9-11-604.	PN-311				FN-1517
Health Services, Department of - Health Care Institutions: Licensing		R9-13-201.	FEM-226; PM-1389	R9-9-107.	PN-297;
R9-10-101.	XM-927				FN-1517
R9-10-102.	XM-927	R9-13-203.	FEM-226; PM-1389	R9-9-108.	PN-297;
R9-10-106.	XM-927			Table 1.1.	FN-1517
R9-10-113.	TM-404; PEM-464; FEM-1113	R9-13-208.	PM-1389		FN-1517
		Health Services, Department of - Medical Marijuana Program		R9-9-201.	PN-297;
R9-10-230.	TM-404; PEM-464; FEM-1113	R9-17-101.	PEM-1414		FN-1517
		R9-17-102.	PEM-1414	R9-9-202.	PN-297;
R9-10-233.	TM-404; PEM-464; FEM-1113	R9-17-103.	PEM-1414		FN-1517
		R9-17-107.	PEM-1414	R9-9-204.	PN-297;
R9-10-407.	TM-404; PEM-464; FEM-1113	Table 1.1.	PEM-1414		FN-1517
		R9-17-202.	PEM-1414	R9-9-205.	PN-297;
R9-10-501.	XM-927	R9-17-203.	PEM-1414		FN-1517
R9-10-507.	TM-404; PEM-464; FEM-1113	R9-17-204.	PEM-1414	R9-9-301.	PN-297;
		R9-17-303.	PEM-1414		FN-1517
R9-10-801.	PN-765	R9-17-304.	PEM-1414	R9-9-302.	PN-297;
R9-10-802.	PN-765; FEM-869	R9-17-305.	PEM-1414		FN-1517
		R9-17-306.	PEM-1414	R9-9-303.	PN-297;
R9-10-803.	PN-765	R9-17-307.	PEM-1414		FN-1517
R9-10-804.	PN-765	R9-17-308.	PEM-1414	R9-9-304.	PN-297;
R9-10-805.	PN-765	R9-17-310.	PEM-1414		FN-1517
R9-10-806.	PN-765	R9-17-311.	PEM-1414	R9-9-305.	PN-297;
R9-10-807.	PN-765	R9-17-312.	PEM-1414		FN-1517
R9-10-808.	PN-765	R9-17-316.	PEM-1414	R9-9-401.	PN-297;
Table 8.1.	PN-765	R9-17-317.01.	PEM-1414		FN-1517
R9-10-809.	PN-765	Table 3.1.	PEM-1414	R9-9-402.	PN-297;
R9-10-810.	PN-765	R9-17-319.	PEM-1414		FN-1517
R9-10-1306.	TM-404; PEM-464; FEM-1113	R9-17-322.	PEM-1414	R9-9-403.	PN-297;
		R9-17-323.	PEM-1414		FN-1517
		R9-17-324.	PEM-1414	Health Services, Department of - Radiation Control	
		Health Services, Department of - Occupational Licensing		R9-7-1302.	FEM-1855
R9-10-1802.	FEM-871	R9-16-101.	FEM-1119	Table 13.1.	FEM-1855
R9-10-2201.	XN-927	R9-16-102.	FEM-1119	Industrial Commission of Arizona	
R9-10-2202.	XN-927	R9-16-103.	FEM-1119	R20-5-201.	PR-1553
R9-10-2203.	XN-927	R9-16-104.	FEM-1119	R20-5-202.	PR-1553
R9-10-2204.	XN-927	R9-16-105.	FEM-1119	R20-5-203.	PR-1553
R9-10-2205.	XN-927	R9-16-107.	FEM-1119	R20-5-204.	PR-1553
R9-10-2206.	XN-927	R9-16-108.	FEM-1119	R20-5-205.	PR-1553
R9-10-2207.	XN-927	R9-16-109.	FEM-1119	R20-5-206.	PR-1553
R9-10-2208.	XN-927	R9-16-110.	FEM-1119	R20-5-207.	PR-1553
R9-10-2209.	XN-927	R9-16-111.	FEM-1119	R20-5-208.	PR-1553
R9-10-2210.	XN-927	R9-16-112.	FEM-1119	R20-5-209.	PR-1553
R9-10-2211.	XN-927	R9-16-113.	FEM-1119	R20-5-210.	PR-1553
R9-10-2212.	XN-927	R9-16-114.	FEM-1119	R20-5-211.	PR-1553
R9-10-2213.	XN-927	R9-16-115.	FEM-1119	R20-5-212.	PR-1553
R9-10-2214.	XN-927	R9-16-116.	FEM-1119	R20-5-213.	PR-1553
R9-10-2215.	XN-927	Health Services, Department of - Procurement Organizations		R20-5-214.	PR-1553
R9-10-2216.	XN-927			R20-5-215.	PR-1553
R9-10-2217.	XN-927	R9-9-101.	PN-297;	R20-5-216.	PR-1553
R9-10-2218.	XN-927		FN-1517	R20-5-217.	PR-1553
R9-10-2219.	XN-927	R9-9-102.	PN-297;	R20-5-218.	PR-1553
R9-10-2220.	XN-927		FN-1517	R20-5-219.	PR-1553
R9-10-2221.	XN-927	R9-9-103.	PN-297;	R20-5-220.	PR-1553
R9-10-2222.	XN-927		FN-1517	R20-5-221.	PR-1553
R9-10-2223.	XN-927	R9-9-104.	PN-297;	R20-5-222.	PR-1553
R9-10-2224.	XN-927		FN-1517	R20-5-223.	PR-1553

R20-5-224.	PR-1553	R20-5-1116.	PR-1553	R20-5-1538.	PN-1553
R20-5-601.	PM-487; PM-979; TM-1004; FM-1761	R20-5-1117.	PR-1553	R20-5-1539.	PN-1553
		R20-5-1118.	PR-1553	R20-5-1540.	PN-1553
		R20-5-1119.	PR-1553	R20-5-1541.	PN-1553
R20-5-602.	PM-487; PM-979; TM-1004; FM-1761	R20-5-1120.	PR-1553	Insurance and Financial Institutions, Department of - Financial Institutions Division	
		R20-5-1121.	PR-1553		
		R20-5-1122.	PR-1553		
		R20-5-1123.	PR-1553		
		R20-5-1124.	PR-1553		
R20-5-602.02.	FN-589	R20-5-1125.	PR-1553	R20-4-1201.	PM-1647
R20-5-629.	PM-979; FM-1761	R20-5-1126.	PR-1553	R20-4-1202.	PM-1647
		R20-5-1127.	PR-1553	R20-4-1204.	PM-1647
R20-5-701.	PR-1553	R20-5-1128.	PR-1553	R20-4-1208.	PR-1647
R20-5-702.	PR-1553	R20-5-1129.	PR-1553	R20-4-1209.	PM-1647
R20-5-703.	PR-1553	R20-5-1130.	PR-1553	R20-4-1210.	PM-1647
R20-5-704.	PR-1553	R20-5-1131.	PR-1553	R20-4-1211.	PR-1647
R20-5-705.	PR-1553	R20-5-1132.	PR-1553	R20-4-1219.	PM-1647
R20-5-706.	PR-1553	R20-5-1133.	PR-1553	R20-4-1220.	PM-1647
R20-5-707.	PR-1553	R20-5-1134.	PR-1553	Insurance and Financial Institutions, Department of - Insurance Division	
R20-5-708.	PR-1553	R20-5-1135.	PR-1553		
R20-5-709.	PR-1553	R20-5-1136.	PR-1553		
R20-5-710.	PR-1553	R20-5-1401.	PM-361; FM-1483		
R20-5-711.	PR-1553			R20-6-101.	PM-1652
R20-5-712.	PR-1553	R20-5-1405.	PN-361;	R20-6-102.	PM-1652
R20-5-713.	PR-1553		FN-1483	R20-6-103.	PM-1652
R20-5-714.	PR-1553	R20-5-1406.	PN-361;	R20-6-106.	PM-1652
R20-5-715.	PR-1553		FN-1483	R20-6-114.	PM-1652
R20-5-716.	PR-1553	R20-5-1407.	PN-361;	R20-6-115.	PR-1652
R20-5-717.	PR-1553		FN-1483	R20-6-160.	PM-1652
R20-5-718.	PR-1553	R20-5-1501.	PN-1553	R20-6-212.	PM-454
R20-5-719.	PR-1553	R20-5-1502.	PN-1553	R20-6-212.01.	PM-454
R20-5-720.	PR-1553	R20-5-1503.	PN-1553	R20-6-212.02.	PN-454
R20-5-721.	PR-1553	R20-5-1504.	PN-1553	R20-6-407.	SPM-681; SPM-2051
R20-5-722.	PR-1553	R20-5-1505.	PN-1553	R20-6-1301.	PN-330; FN-1824
R20-5-723.	PR-1553	R20-5-1506.	PN-1553		
R20-5-724.	PR-1553	R20-5-1507.	PN-1553	R20-6-1302.	PN-330; FN-1824
R20-5-725.	PR-1553	R20-5-1508.	PN-1553		
R20-5-726.	PR-1553	R20-5-1509.	PN-1553	R20-6-1303.	PN-330; FN-1824
R20-5-727.	PR-1553	R20-5-1510.	PN-1553		
R20-5-728.	PR-1553	R20-5-1511.	PN-1553	R20-6-1304.	PN-330; FN-1824
R20-5-729.	PR-1553	R20-5-1512.	PN-1553		
R20-5-730.	PR-1553	R20-5-1513.	PN-1553	R20-6-1305.	PN-330; FN-1824
R20-5-731.	PR-1553	R20-5-1514.	PN-1553		
R20-5-732.	PR-1553	R20-5-1515.	PN-1553	Exhibit A.	PN-330; FN-1824
R20-5-733.	PR-1553	R20-5-1516.	PN-1553		
R20-5-734.	PR-1553	R20-5-1517.	PN-1553	R20-6-1601.	F#-493
R20-5-735.	PR-1553	R20-5-1518.	PN-1553	R20-6-1602.	F#-493
R20-5-736.	PR-1553	R20-5-1519.	PN-1553	R20-6-1603.	F#-493
R20-5-737.	PR-1553	R20-5-1520.	PN-1553	R20-6-1604.	F#-493
R20-5-738.	PR-1553	R20-5-1521.	PN-1553	R20-6-1605.	F#-493
R20-5-739.	PR-1553	R20-5-1522.	PN-1553	R20-6-1606.	F#-493
R20-5-1101.	PR-1553	R20-5-1523.	PN-1553	R20-6-1607.	F#-493
R20-5-1102.	PR-1553	R20-5-1524.	PN-1553	R20-6-1608.	F#-493
R20-5-1103.	PR-1553	R20-5-1525.	PN-1553	R20-6-1609.	FR-493
R20-5-1104.	PR-1553	R20-5-1526.	PN-1553	R20-6-1610.	F#-493
R20-5-1105.	PR-1553	R20-5-1527.	PN-1553	R20-6-1611.	FR-493
R20-5-1106.	PR-1553	R20-5-1528.	PN-1553	R20-6-1612.	FR-493
R20-5-1107.	PR-1553	R20-5-1529.	PN-1553	R20-6-A1601.	F#-493; FM-493
R20-5-1108.	PR-1553	R20-5-1530.	PN-1553		
R20-5-1109.	PR-1553	R20-5-1531.	PN-1553	R20-6-A1602.	F#-493; FM-493
R20-5-1110.	PR-1553	R20-5-1532.	PN-1553		
R20-5-1111.	PR-1553	R20-5-1533.	PN-1553	R20-6-A1603.	F#-493; FM-493
R20-5-1112.	PR-1553	R20-5-1534.	PN-1553		
R20-5-1113.	PR-1553	R20-5-1535.	PN-1553	R20-6-A1604.	F#-493; FM-493
R20-5-1114.	PR-1553	R20-5-1536.	PN-1553		
R20-5-1115.	PR-1553	R20-5-1537.	PN-1553	R20-6-A1605.	F#-493; FM-493

R20-6-A1606.	F#-493; FM-493	R19-3-203.	PM-439	Pharmacy, Board of	
R20-6-A1607.	F#-493; FM-493	R19-3-204.	PM-439	R4-23-411.	SPN-339; FM-994
R20-6-A1608.	F#-493; FM-493	R19-3-204.01.	PM-439	R4-23-902.	FN-611
R20-6-A1609.	F#-493; FM-493	R19-3-204.02.	PM-439	R4-23-1004.	FN-611
Exhibit A.	FM-493	R19-3-205.	PM-439	R4-23-1005.	FM-611
Exhibit E.	FM-493	R19-3-206.	PM-439	R4-23-1104.	SPN-339; FM-994
R20-6-B1601.	FN-493	R19-3-209.	PM-439	R4-23-1201.	FR-611
R20-6-B1602.	FN-493	R19-3-210.	PM-439	R4-23-1202.	FR-611
R20-6-B1603.	FN-493	R19-3-211.	PM-439	R4-23-1203.	FR-611
R20-6-1801.	FM-654	R19-3-212.	PM-439	R4-23-1204.	FR-611
R20-6-1802.	FM-654	R19-3-213.	PM-439	R4-23-1205.	FR-611
R20-6-1804.	FM-654	R19-3-214.	PM-439	R4-23-1206.	FR-611
R20-6-1805.	FM-654	R19-3-215.	PM-439	R4-23-1207.	FR-611
R20-6-1807.	FM-654	R19-3-216.	PM-439	R4-23-1208.	FM-611
R20-6-1808.	FM-654	R19-3-217.	PM-1031	R4-23-1209.	FR-611
R20-6-1811.	FM-654	R19-3-401.	PM-1031	R4-23-1210.	FR-611
R20-6-1813.	FM-654	R19-3-402.	PM-1031	R4-23-1211.	FR-611
R20-6-2201.	FM-687	R19-3-403.	PM-1031		
		R19-3-404.	PM-1031	Psychologist Examiners, Board of	
Insurance and Financial Institutions, Department of - Real Estate Appraisal Division		R19-3-405.	PM-1031	R4-26-101.	PM-745
R4-46-101.	FM-893	R19-3-406.	PM-1031	R4-26-104.	PR-745
R4-46-102.	FM-893	R19-3-407.	PM-1031	R4-26-105.	PR-745
R4-46-106.	FM-893	R19-3-408.	PM-1031	R4-26-106.	PM-745
R4-46-107.	FM-893	R19-3-409.	PM-1031	R4-26-108.	PM-745
R4-46-201.	FM-893	R19-3-410.	PM-1031	R4-26-109.	PM-745
R4-46-201.01.	FM-893	R19-3-411.	PM-1031	R4-26-110.	PM-745
R4-46-202.01.	FM-893	R19-3-412.	PM-1031	R4-26-111.	PM-745
R4-46-203.	FM-893	R19-3-701.	PM-1031	R4-26-201.	PM-745
R4-46-204.	FM-893	R19-3-702.	PM-1031	R4-26-203.	PM-745
R4-46-209.	FM-893	R19-3-703.	PM-1031	R4-26-203.01.	PM-745
R4-46-301.	FM-893	R19-3-704.	PM-1031	R4-26-203.02.	PM-745
R4-46-301.01.	FM-893	R19-3-705.	PR-1031	R4-26-203.03.	PM-745
R4-46-302.01.	FM-893	R19-3-706.	PM-1031	R4-26-203.04.	PM-745
R4-46-303.01.	FM-893	R19-3-707.	PM-1031	R4-26-204.	PM-745
R4-46-304.01.	FM-893	R19-3-708.	PR-1031	R4-26-205.	PM-745
R4-46-305.01.	FM-893	R19-3-709.	PM-1031	R4-26-206.	PM-745
R4-46-306.01.	FM-893	R19-3-1001.	PM-1031	R4-26-207.	PM-745
R4-46-307.01.	FM-893	R19-3-1003.	PM-1031	R4-26-210.	PM-745
R4-46-401.	FM-893	R19-3-1004.	PM-1031	R4-26-402.	PM-758
R4-46-402.	FM-893	R19-3-1007.	PM-1031	R4-26-403.	PM-758
R4-46-403.	FM-893	R19-3-1008.	PM-1031	R4-26-404.1.	PM-758
R4-46-404.	FM-893			R4-26-404.2.	PM-758
R4-46-405.	FM-893	Nursing, Board of		R4-26-405.	PM-758
R4-46-406.	FM-893	R4-19-101.	XM-111	R4-26-408.	PM-758
R4-46-408.	FM-893	Table 1.	XM-111	R4-26-409.	PM-758
R4-46-501.	FM-893	R4-19-901.	XN-111	R4-26-417.	PM-758
R4-46-502.	FM-893	R4-19-902.	XN-111		
R4-46-503.	FM-893	R4-19-903.	XN-111	Podiatry Examiners, Board of	
R4-46-504.	FM-893	R4-19-904.	XN-111	R4-25-101.	PM-251
R4-46-505.	FM-893			R4-25-103.	PM-251
R4-46-506.	FM-893	Osteopathic Examiners in Medicine and Surgery, Board of		R4-25-301.	PM-251
R4-46-507.	FM-893	R4-22-102.	FXM-660	R4-25-302.	PM-251
R4-46-508.	FM-893			R4-25-306.	PM-251
R4-46-509.	FM-893	Peace Officer Standards and Training Board, Arizona		R4-25-602.	PM-251
R4-46-510.	FM-893	R13-4-101.	FM-1044	R4-25-605.	PM-251
R4-46-511.	FM-893	R13-4-103.	FM-1044	R4-25-701.	PN-251
R4-46-601.	FM-893	R13-4-104.	FM-1044	R4-25-702.	PN-251
		R13-4-105.	FM-1044		
Lottery Commission, Arizona State		R13-4-106.	FM-1044	Public Safety, Department of - Criminal Identification Section	
R19-3-201.	PM-439	R13-4-110.	FM-1044	R13-1-101.	PM-1475
R19-3-202.	PM-439	R13-4-111.	SPM-1399	R13-1-201.	PM-1475
R19-3-202.01.	PM-439	R13-4-114.	SPM-1399	R13-1-202.	PR-1475
R19-3-202.02.	PM-439	R13-4-116.	FM-1044	R13-1-203.	PR-1475
R19-3-202.03.	PR-439; PN-439	R13-4-117.	FM-1044	R13-1-204.	PR-1475
R19-3-202.04.	PM-439	R13-4-118.	FM-1044	R13-1-301.	PM-1475
R19-3-202.06.	PM-439	R13-4-201.	FM-1044	R13-1-302.	PR-1475
		R13-4-202.	FM-1044		
		R13-4-203.	FM-1044	Public Safety, Department of - Private Investigators	

R13-2-101.	PEM-517; FEM-1976	R4-17-203.	PM-549; FM-1757	R17-6-202.	FR-1261
R13-2-102.	PEM-517; FEM-1976	R4-17-206.	PM-549; FM-1757	R17-6-203.	FM-1261
R13-2-103.	PEM-517; FEM-1976	R4-17-307.	PN-549; FN-1757	R17-6-204.	F#-1261
R13-2-104.	PEM-517; FEM-1976	Retirement System Board, State		R17-6-205.	FM-1261
R13-2-105.	PEM-517	R2-8-104.	SPM-643; FM-1746	R17-6-206.	FM-1261
R13-2-201.	PER-517; FER-1976	R2-8-115.	SPM-643; FM-1746	Table 2.	FN-1261
R13-2-202.	PEM-517; FEM-1976	R2-8-117.	FM-1255	R17-6-207.	FR-1261
R13-2-203.	PEM-517; FEM-1976	R2-8-118.	PM-795; FM-1481	R17-6-208.	FR-1261
R13-2-204.	PEM-517; FEM-1976	R2-8-126.	SPM-643; FM-1746	R17-6-209.	FM-1261
R13-2-205.	PEM-517; FEM-1976	R2-8-128.	SPM-643; FM-1746	R17-6-210.	F#-1261; FM-1261
R13-2-206.	PEM-517; FEM-1976	R2-8-130.	SPM-643; FM-1746	Table 5.	FM-1261
R13-2-207.	PEM-517; FEM-1976	R2-8-131.	SPM-643; FM-1746	R17-6-211.	FR-1261; F#-1261; FM-1261
R13-2-208.	PEM-517; FEM-1976	R2-8-304.	FM-1255	R17-6-212.	FM-1261
R13-2-301.	PER-517; FER-1976	R2-8-401.	FM-223	Table 6.	FR-1261
R13-2-302.	PEM-517; FEM-1976	R2-8-403.	FM-223	Table 7.	FR-1261
R13-2-304.	PEM-517; FEM-1976	R2-8-501.	FM-1257	R17-6-302.	FM-1261
R13-2-306.	PEM-517; FEM-1976	R2-8-505.	FM-1257	III. 1.	FM-1261
R13-2-401.	PEM-517; FEM-1976	R2-8-701.	FEM-1366	R17-6-303.	FM-1261
R13-2-402.	PER-517; FER-1976	R2-8-704.	FEM-1366	R17-6-304.	FM-1261
R13-2-404.	PEM-517; FEM-1976	R2-8-706.	FEM-1366	III. 4.	FM-1261
		R2-8-707.	FEM-1366	R17-6-305.	FM-1261
		R2-8-801.	SPM-643; FM-1746	R17-6-306.	FM-1261
		R2-8-803.	FM-1261	R17-6-307.	FM-1261
		R2-8-808.	FM-1261	R17-6-401.	FM-1261
		R2-8-809.	FM-1261	R17-6-402.	FR-1261; F#-1261; FM-1261
		R2-8-1006.	FM-1257	R17-6-403.	F#-1261; FM-1261
		R2-8-1103.	FM-1746	R17-6-404.	FM-1261
		R2-8-1134.	SPM-643	R17-6-405.	FR-1261; F#-1261
Public Safety, Department of - Private Investigator and Security Guard Hearing Board		Secretary of State, Office of the		R17-6-406.	F#-1261
R13-12-103.	PEM-524; TM-1488	R2-12-1201.	PM-217; FM-719	R17-6-407.	FM-1261
R13-12-104.	PEM-524; TM-1488	R2-12-1203.	PM-217; FM-719	R17-6-408.	F#-1261
R13-12-105.	PEM-524; TM-1488	R2-12-1301.	PM-217; FM-719	R17-6-409.	FR-1261; F#-1261
R13-12-106.	PEM-524; TM-1488	R2-12-1304.	PM-217; FM-719	R17-6-411.	FM-1261
Public Safety, Department of - Rapid DNA		R2-12-1307.	PM-217; FM-719	III. 3.	FN-1261
R13-15-101.	PN-10; FN-998	R2-12-1308.	PM-217; FM-719	Table 3.01.	FM-1261
R13-15-102.	PN-10; FN-998	R2-12-1309.	PN-217; FM-719	Table 3.02.	FM-1261
R13-15-103.	PN-10; FN-998	Transportation, Department of - Oversize and Overweight Special Permits		Table 3.03.	FM-1261
R13-15-104.	PN-10; FN-998	R17-6-101.	FM-1263	Table 3.04.	FM-1261
R13-15-105.	PN-10; FN-998	R17-6-102.	FM-1263	Table 3.05.	FM-1261
R13-15-106.	PN-10; FN-998	Table 1.	FM-1263	Table 3.06.	FM-1261
R13-15-107.	PN-10; FN-998	R17-6-103.	FM-1263	Table 3.07.	FM-1261
R13-15-108.	PN-10; FN-998	R17-6-104.	FM-1263	Table 3.08.	FM-1261
		R17-6-105.	FM-1263	Table 3.09.	FM-1261
		R17-6-106.	FM-1263	III. 3.	FR-1261
		R17-6-107.	FM-1263	R17-6-412.	FM-1261
		R17-6-108.	FM-1263	Table 4.	FM-1261
		R17-6-109.	FM-1263	R17-6-413.	F#-1261
		R17-6-112.	FM-1261	Table 5.	F#-1261
		R17-6-113.	FM-1261	R17-6-414.	F#-1261
		R17-6-201.	FM-1261	R17-6-501.	F#-1261; FN-1261
				R17-6-502.	F#-1261; FM-1261
				R17-6-503.	F#-1261; FN-1261
				R17-6-504.	F#-1261; FN-1261
				R17-6-505.	F#-1261; FN-1261
				R17-6-506.	FM-1261
				R17-6-507.	F#-1261
				R17-6-508.	F#-1261; FM-1261
				R17-6-509.	F#-1261; FM-1261
				R17-6-510.	F#-1261
Regulatory Board of Physician Assistants, Arizona					

R17-6-511.	F#-1261	R17-4-512.	EXP-121	R12-15-713.	FEM-909
Transportation, Department of - Title, Registration, and Driver Licenses		Water Resources, Department of		R12-15-729.	FEM-909
R17-4-313.	EXP-2061	R12-15-401.	FEM-266	R12-15-811.	FEM-266
R17-4-510.	EXP-121	R12-15-701.	FEM-909	R12-15-814.	FEM-266
		R12-15-704.	FEM-909	R12-15-1224.	FEM-266
		R12-15-708.	FEM-909		
		R12-15-710.	FEM-909		

OTHER NOTICES AND PUBLIC RECORDS INDEX

Other legal notices required to be published under the Administrative Procedure Act, such as Rulemaking Docket Openings, are included in this Index by volume page number. Notices of Agency Ombudsman, Substantive Policy Statements, Proposed Delegation Agreements, and other applicable public records as required by law are also listed in this Index by volume page number.

THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 33 OF VOLUME 28.

Agency Guidance Document, Notices of

Department of Health Services; p. 703

Agency Ombudsman, Notices of

Child Safety, Department of; p. 1662
 Department of Water Resources; p. 233
 Game and Fish Department; p. 373
 Insurance and Financial Institutions, Department of; p. 1075
 Public Safety, Department of; p. 1662
 Real Estate, Department of; p. 625
 Retirement System Board, State; p. 373
 State Board of Dental Examiners; p. 233

Docket Opening, Notices of Rulemaking

Administration, Department of - State Procurement Office; 2 A.A.C. 7; pp. 701-702
 Agriculture, Department of - Animal Services Division; 3 A.A.C. 2; p. 123
 Agriculture, Department of - Environmental Services Division; 3 A.A.C. 3; p. 2025
 Agriculture, Department of - Pest Management Division; 3 A.A.C. 8; p. 1453
 Agriculture, Department of - Weights and Measures Services Division; 3 A.A.C. 7; pp. 1771-1772
 Behavioral Health Examiners, Board of; 4 A.A.C. 6; p. 1659
 Child Safety, Department of - Permanency and Support Services; 21 A.A.C. 5; p. 819-820
 Criminal Justice Commission, Arizona; 10 A.A.C. 4; p. 725
 Corporation Commission - Transportation; 14 A.A.C. 5; pp. 280-281
 Dental Examiners, State Board of; 4 A.A.C. 11; pp. 201-202, 1230

Economic Security, Department of - Developmental Disabilities; 6 A.A.C. 6; pp. 818-819
 Environmental Quality, Department of - Permit and Compliance Fees; 18 A.A.C. 14; pp. 126-127
 Environmental Quality, Department of - Safe Drinking Water; 18 A.A.C. 4; p. 2062
 Environmental Quality, Department of - Solid Waste Management; 18 A.A.C. 13; p. 1369
 Environmental Quality, Department of - Water Pollution Control; 18 A.A.C. 9; pp. 124-125
 Environmental Quality, Department of - Water Quality Assurance Revolving Fund Program; 18 A.A.C. 16; p. 726
 Environmental Quality, Department of - Water Quality Standards; 18 A.A.C. 11; pp. 125-126
 Facilities Board, School; 7 A.A.C. 6; p. 1154
 Financial Institutions, Department of - Real Estate Appraisal Division; 4 A.A.C. 46; p. 1660
 Game and Fish Commission; 12 A.A.C. 4; p. 594
 Health Care Cost Containment System, Arizona (AHCCCS) - Administration; 9 A.A.C. 22; pp. 1231-1234, 2027
 Health Care Cost Containment System, Arizona (AHCCCS) - Arizona Long-term Care System; 9 A.A.C. 28; pp. 1235-1236
 Health Care Cost Containment System, Arizona (AHCCCS) - Children's Health Insurance Program; 9 A.A.C. 31; p. 1236
 Health Services, Department of; 9 A.A.C. 9; p. 1231
 Health Services, Department of - Emergency Medical Services; 9 A.A.C. 25; pp. 593-594
 Health Services, Department of - Food, Recreational, and Institu-

tional Sanitation; 9 A.A.C. 8; pp. 1005, 2026
 Health Services, Department of - Health Care Institutions: Licensing; 9 A.A.C. 10; pp. 471-472, 1984
 Health Services, Department of - Health Programs Services; 9 A.A.C. 13; p. 1006
 Health Services, Department of - Medical Marijuana; 9 A.A.C. 17; pp. 1073-1074
 Health Services, Department of - Occupational Licensing; 9 A.A.C. 16; pp. 663-664, 1862
 Industrial Commission of Arizona; 20 A.A.C. 5; pp. 372, 531-532, 1007-1008, 1606-1607
 Insurance and Financial Institutions, Department of - Financial Institutions Division; 20 A.A.C. 4; p. 1660
 Insurance and Financial Institutions, Department of - Insurance Division; 20 A.A.C. 6; pp. 347, 1661
 Podiatry Examiners, Board of; 4 A.A.C. 25; p. 280
 Psychologist Examiners, Board of; 4 A.A.C. 26; pp. 775-776
 Public Safety, Department of - Criminal Identification Section; 13 A.A.C. 1; pp. 1491-1492
 Public Safety, Department of - Private Investigators; 13 A.A.C. 2; pp. 528-529
 Public Safety, Department of - Private Investigator and Security Guard Hearing Board; 13 A.A.C. 12; p. 530
 Public Safety, Department of - Rapid DNA; 13 A.A.C. 15; p. 124
 Racing Commission, Arizona; 19 A.A.C. 2; pp. 2027-2028
 Regulatory Board of Physician Assistants, Arizona; 4 A.A.C. 17; p. 279
 Retirement System Board, State; 2 A.A.C. 8; p. 818

Secretary of State, Office of the; 2
A.A.C. 12; p. 232
State Lottery Commission, Arizona;
19 A.A.C. 3; p. 1074

Final Delegation Agreement, Notices of

Environmental Quality, Department
of; p. 777

Governor's Office

Executive Order 2021-02: pp. 203-
204

Executive Order 2022-01: pp. 236-
237

Governor's Regulatory Review Council

Notices of Action Taken at Monthly
Meetings: pp. 245, 432-433,
637, 886-887, 1023-1024, 1511-
1512, 1793-1795, 2081-2082

Oral Proceeding, Notices of

Insurance and Financial Institutions,
Department of - Insurance Divi-
sion; 20 A.A.C. 6; p. 1009

Proposed Delegation Agreement, Notices of

Environmental Quality, Department
of; pp. 374-375, 727-728

Public Information, Notices of

Environmental Quality, Department
of; pp. 129-135, 405-421

Environmental Quality, Department
of - Pesticides and Water Pollu-
tion Control; pp. 1493-1495

Environmental Quality, Department
of - Safe Drinking Water; pp.
778-779

Environmental Quality, Department
of - Water Pollution Control;
pp. 1010, 1495, 1985

Health Services, Department of -
Child Care Facilities; p. 1774

Health Services, Department of -
Child Care Group Homes; p.
1773

Health Services, Department of -
Health Care Institutions:
Licensing; p. 821

Health Services, Department of -
Occupational Licensing; p.
1986

Substantive Policy Statement, Notices of

Agriculture, Department of - Animal
Services Division; p. 729

Dental Examiners, State Board of; p.
961

Environmental Quality, Department
of; pp. 234-235, 533-534, 1775-
1776

Insurance and Financial Institutions,
Department of - Division of
Insurance; p. 376

Real Estate Department, State; p. 282

Water Infrastructure Finance Author-
ity; pp. 377-380

Water Resources, Department of; p.
873

RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
1/1	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/4	2/3	4/4	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/5	2/4	4/5	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/9	2/8	4/9	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/10	2/9	4/10	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/12	2/11	4/12	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/13	2/12	4/13	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/14	2/13	4/14	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/15	2/14	4/15	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/16	2/15	4/16	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/17	2/16	4/17	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/18	2/17	4/18	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/19	2/18	4/19	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/20	2/19	4/20	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/21	2/20	4/21	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/22	2/21	4/22	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/23	2/22	4/23	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/25	2/24	4/25	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/26	2/25	4/26	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/27	2/26	4/27	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/28	2/27	4/28	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/29	2/28	4/29	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/30			3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/31			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	4/1			3/31	5/30			5/31	7/30		

July		August		September		October		November		December	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1

REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Deadline Date Friday, 5:00 p.m. <i>(*earlier date due to holiday)</i>	Register Publication Date	Oral Proceeding may be scheduled on or after
May 20, 2022	June 10, 2022	July 11, 2022
May 27, 2022	June 17, 2022	July 18, 2022
June 3, 2022	June 24, 2022	July 25, 2022
June 10, 2022	July 1, 2022	August 1, 2022
June 17, 2022	July 8, 2022	August 8, 2022
June 24, 2022	July 15, 2022	August 15, 2022
July 1, 2022	July 22, 2022	August 22, 2022
July 8, 2022	July 29, 2022	August 29, 2022
July 15, 2022	August 5, 2022	September 6, 2022
July 22, 2022	August 12, 2022	September 12, 2022
July 29, 2022	August 19, 2022	September 19, 2022
August 5, 2022	August 26, 2022	September 26, 2022
August 12, 2022	September 2, 2022	October 3, 2022
August 19, 2022	September 9, 2022	October 11, 2022
August 26, 2022	September 16, 2022	October 17, 2022
September 2, 2022	September 23, 2022	October 24, 2022
September 9, 2022	September 30, 2022	October 31, 2022
September 16, 2022	October 7, 2022	November 7, 2022
September 23, 2022	October 14, 2022	November 14, 2022
September 30, 2022	October 21, 2022	November 21, 2022
October 7, 2022	October 28, 2022	November 28, 2022
October 14, 2022	November 4, 2022	December 5, 2022
October 21, 2022	November 11, 2022	December 12, 2022
October 28, 2022	November 18, 2022	December 19, 2022
November 4, 2022	November 25, 2022	December 27, 2022
*November 10, 2022	December 2, 2022	January 2, 2023
November 18, 2022	December 9, 2022	January 9, 2023
November 25, 2022	December 16, 2022	January 16, 2023
December 2, 2022	December 23, 2022	January 23, 2023

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year Review Reports and any adopted rule submitted to the Governor's Regulatory Review Council. Council meetings and *Register* deadlines do not correlate. We publish these deadlines under A.R.S. § 41-1013(B)(15).

All rules and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date. The Council's office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit <https://grrc.az.gov>.

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES FOR 2022

(MEETING DATES ARE SUBJECT TO CHANGE)

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> January 18, 2022	<i>Tuesday</i> February 15, 2022	<i>Tuesday</i> February 22, 2022	<i>Tuesday</i> March 1, 2022
<i>Tuesday</i> February 15, 2022	<i>Tuesday</i> March 22, 2022	<i>Tuesday</i> March 29, 2022	<i>Tuesday</i> April 5, 2022
<i>Tuesday</i> March 22, 2022	<i>Tuesday</i> April 19, 2022	<i>Tuesday</i> April 26, 2022	<i>Tuesday</i> May 3, 2022
<i>Tuesday</i> April 19, 2022	<i>Tuesday</i> May 17, 2022	<i>Tuesday</i> May 24, 2022	Wednesday June 1, 2022
<i>Tuesday</i> May 17, 2022	<i>Tuesday</i> June 21, 2022	<i>Tuesday</i> June 28, 2022	Wednesday July 6, 2022
<i>Tuesday</i> June 21, 2022	<i>Tuesday</i> July 19, 2022	<i>Tuesday</i> July 26, 2022	<i>Tuesday</i> August 2, 2022
<i>Tuesday</i> July 19, 2022	<i>Tuesday</i> August 23, 2022	<i>Tuesday</i> August 30, 2022	Wednesday September 7, 2022
<i>Tuesday</i> August 23, 2022	<i>Tuesday</i> September 20, 2022	<i>Tuesday</i> September 27, 2022	<i>Tuesday</i> October 4, 2022
<i>Tuesday</i> September 20, 2022	<i>Tuesday</i> October 18, 2022	<i>Tuesday</i> October 25, 2022	<i>Tuesday</i> November 1, 2022
<i>Tuesday</i> October 18, 2022	<i>Tuesday</i> November 22, 2022	<i>Tuesday</i> November 29, 2022	<i>Tuesday</i> December 6, 2022

* Materials must be submitted by **5 PM** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.